

भारत का राजपत्र **The Gazette of India**

प्रधिकार से प्रकाशित
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सं० 51] नई दिल्ली, शनिवार, दिसम्बर 18, 1965/अग्राहायण 27, 1887
 No. 51] NEW DELHI, SATURDAY, DECEMBER 18, 1965/AGRAHAYANA 27, 1887

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
 Separate paging is given to this Part in order that it may be filed
 as a separate compilation

नोटिस NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 7 दिसम्बर, 1965 तक प्रकाशित किए गए ।

The undermentioned Gazettes of India Extraordinary were published upto the 7th December, 1965 :—

Issue No.	No. and Date	Issued by	Subject
303	S.O. 3710, dated 29th November, 1965.	Election Commission	Distribution of the seats allotted to the State of Bihar in the House of the People and the seats assigned to the Legislative Assembly of that State to territorial constituencies.
304	S.O. 3711 dated 29th November, 1965.	Cabinet Secretariat	Amendments in the Government of India (Allocation of Business) Rules, 1961.
305	S.O. 3712, dated 29th November, 1965.	Ministry of Commerce	Authorising Shri M. D. Bhat to take over the management of the India United Mills Ltd., Bombay.
306	S.O. 3781, dated 1st December, 1965.	Ministry of Education	The International Copyright (Fifth Amendment) Order, 1965.

Issue No.	No. and Date	Issued by	Subject
	एस० ओ० 3782, दिनांक 1 दिसम्बर, 1965.	शिक्षा मंत्रालय	अन्तर्राष्ट्रीय प्रतिलिप्यधिकार (पाँचवाँ संशोधन) आदेश, 1965:
307	S.O. 3783, dated 1st December, 1965.	Ministry of Food & Agriculture.	Delegation of powers under the Essential Commodities Act, 1955 in relation to prices, transport and stocks of cattle fodder of any of the varieties to the Collectors of certain districts of the State of Gujarat
308	S.O. 3784, dated 1st December, 1965.	Ministry of Home Affairs.	Appointing the first day of December, 1965 as the date on which the North-East Frontier Agency (Administration) Regulation, 1965 shall come into force.
309	S.O. 3785, dated 1st December, 1965.	Ministry of Commerce	Appointing a body of persons for making a full investigation into the fall of production in respect of cotton textiles manufactured in the R.S. Rekchand Mohta Spinning and Weaving Mills Ltd. Hingan-ghat (Maharashtra State).
310	S.O. 3786, dated 1st December, 1965.	Do.	Further amendments to the Exports (Control) Order, 1962.
311	S.O. 3787, dated 1st December, 1965.	Do.	Delegation of powers to certain officers under the Imports and Exports (Control) Act, 1947.
312	S.O. 3788, dated 1st December, 1965.	Delimitation Commission.	Distribution of the seats allotted to the State of Uttar Pradesh in the House of the People and the seats assigned to the Legislative Assembly of that State to territorial constituencies.
313	S.O. 3789, dated 4th December, 1965.	Ministry of Information and Broadcasting	Approval of films as specified therein.
314	S.O. 3790, dated 4th December, 1965.	Ministry of Food & Agriculture.	Authorising Shri J. P. Goel, Officer on Special Duty, Directorate of Sugar and Vanaspati, Ministry of Food & Agriculture to take over the management of M/s. Diwan Sugar and General Mills Private Ltd., Sakhoti Tanda District Meerut.
315	S.O. 3791, dated 7th December, 1965.	Ministry of Commerce	To notify that Safety Class shall be subject to quality control and inspection prior to export.
	S.O. 3792, dated 7th December, 1965.	Do.	Recognising the Indian Standard Institution Certification Mark with respect to Safety Glass

Issue No.	No. and Date	Issued by	Subject
316	S.O. 3793, dated 7th Decem- ber, 1965.	Ministry of Commerce	The Export of Safety Glass (Inspection) Rules, 1965.

ऊपर लिखे असाधारण गजटों की प्रतियाँ प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुँच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(राष्ट्रा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएँ।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 6th December 1965

S.O. 3857.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (VII of 1922) the Central Government hereby appoint Shri P. Parameswaran, Officiating Superintendent, Regional Passport & Emigration Office, Madras to be Protector of Emigrants, Madras, in addition to his own duties with effect from November 15, 1965 to January 13, 1966, *vice* Shri V. Radhakrishnan, Protector of Emigrants, Madras granted leave for the said period.

[No. V.IV/801/16-65]

[No. CPEO/12/65.]

S. K. CHATTERJEE,
Attache (RVA).

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 7th December 1965

S.O. 3858.—In exercise of the powers conferred by sub-section (3) of Section 45 of the Banking Companies Act, 1949 (10 of 1949), the Central Government hereby directs that the National Bank of Pakistan may, during the period of moratorium granted to it, pay, on demand, any amount due to—

- the Deputy High Commissioner for Pakistan at Calcutta, or
- any other person now employed or previously employed by the High Commission for Pakistan in India,

either in his own name, or jointly in his name and in the name of any other person, including any amount held by the Deputy High Commissioner or other person as aforesaid in trust for any person or for any purpose.

[No. F. 17(19A)-BC/65.]

New Delhi, the 13th December 1965

S.O. 3859.—Statement of the Affairs of the Reserve Bank of India as on the 3rd December, 1965

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid up	5,00,00,000	Notes	24,56,62,000
		Rupee Coin	7,30,000
Reserve Fund	80,00,00,000	Small Coin	2,62,000
National Agricultural Credit (Long Term Operations) Fund	100,00,00,000	Bills Purchased and Discounted:—	
		(a) Internal
		(b) External
		(c) Government Treasury Bills	112,07,90,000
National Agricultural Credit (Stabilisation) Fund	10,00,00,000	Balances held Abroad*	10,12,61,000
National Industrial Credit (Long Term Operations) Fund	15,00,00,000	Investments**	165,41,16,000
		Loans and Advances to:—	
		(i) Central Government
		(ii) State Governments②	144,74,57,000

Deposits :—

(a) Government :—

(i) Central Government 133,21,65,000

(ii) State Governments 4,02,08,000

(b) Banks :

(i) Scheduled Banks 106,89,91,000

(ii) State Co-operative Banks 2,31,08,000

(iii) Other Banks 1,91,000

(c) Others 210,99,70,000

Bills Payable 25,15,61,000

Other Liabilities 53,68,40,000

Rupees 746,30,34,000

Loans and Advances to :—

(i) Scheduled Banks† 27,57,65,000

(ii) State Co-operative Banks†† 169,73,78,000

(iii) Others 2,26,09,000

Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—

(a) Loans and Advances to :—

(i) State Governments 29,82,81,000

(ii) State Co-operative Banks 13,01,36,000

(iii) Central Land Mortgage Banks

(b) Investment in Central Land Mortgage Bank Debentures 5,47,77,000

Loans and Advances from National Agricultural Credit (Stabilisation) Fund—

Loans and Advances to State Co-operative Banks

Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—

(a) Loans and Advances to the Development Bank 2,75,06,000

(b) Investment in bonds/debentures issued by the Development Bank

Other Assets 38,63,04,000

Rupees 746,30,34,000

*Includes Cash and Short-term Securities.

**Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 1,40,00,000 advanced to scheduled banks against usance bills under section 17(4)(c) of the R. B. I. Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 8th day of December, 1965.

An account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 3rd day of December, 1965.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department			Gold Coin and Bullion :—		
Notes in circulation	24,56,62,000		(a) Held in India	133,75,66,000	
	2679,11,89,000		(b) Held outside India	
Total Notes issued		2703,68,51,000	Foreign Securities	75,05,24,000	
			TOTAL		208,80,90,000
			Rupee Coin		101,84,42,000
			Government of India Rupee Securities		2393,03,19,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		2703,68,51,000	TOTAL ASSETS		2703,68,51,000

Dated the 8th day of December, 1965.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/65.]
R.K. SESHADRI, Director (Banking).

(Department of Revenue)

INCOME-TAX ESTABLISHMENTS

New Delhi, the 9th December 1965

S.O. 3860.—Consequent on his proceeding on leave and subsequently posting as Inspecting Assistant Commissioner of Income-tax, Calcutta, the powers conferred on Shri V. S. Narayanan by the Ministry of Finance (Department of Revenue) in their notification No. 16-Income-tax Establishments (F. No. 57/20/64-Ad. VI), dated the 12th February 1964 are hereby withdrawn with effect from the afternoon of 18th August 1965.

M. G. THOMAS, Under Secy.

(Department of Revenue)

ORDER

STAMPS

New Delhi, the 18th December 1965

S.O. 3861.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the Policies of Insurance issued under the Personal Injuries (Compensation Insurance) Act, 1963 (37 of 1963) are chargeable under the said Indian Stamp Act, 1899.

[No. 25/65-Cus.VII/Stamps No. 1/78/65.]

M. G. VAIDYA, Under Secy.

(Office of the Collector of Central Excise, Patna)

Patna, the 30th November 1965

SUBJECT.—Central Excise—Clearances of non-excisable goods under Rule 50 of the Central Excise Rules, 1944.

S.O. 3862.—In exercise of the powers conferred by Rule 50 Central Excise Rules, 1944, the undersigned directs that the non-excisable goods specified in the table below shall not be removed from the licensed premises of a manufacturer of Wireless receiving sets falling under item 33A of the Central Excise Tariff without permission of the Central Excise Officer incharge of the factory.

A manufacturer desiring to remove such non-excisable goods shall present the goods for examination alongwith the gatepass for non-excisable goods in duplicate to the Central Excise Officer incharge of the factory, who after proper verification shall countersign the gate-Pass and allow the removal outside the premises.

TABLE

Tariff Item No.	Name of the excisable goods	Name of the non-excisable goods or intermediate and residual products
1	2	3
33A	Wireless Receiving Sets, all sorts, including transistor sets and Radiogram with or without loudspeaker.	1. Radio cabinets 2. Loud speakers.

[No. 2/CX/MP/65.]

B. S. CHAWLA, Collector of Central Excise.

MINISTRY OF STEEL AND MINES

(Department of Mines and Metals)

New Delhi, the 1st December 1965

S.O. 3863.—Whereas by the notification of the Government of India in the late Ministry of Steel, Mines and Heavy Engineering (Department of Mines and

Metals) S.O. 40 dated the 27th December, 1963, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government gave notice of its intention to prospect for coal in 84·00 acres (approximately) or 38·07 Hectares (approximately) of lands in the locality specified in the Schedule appended to that Notification.

And whereas the Central Government is satisfied that coal is obtainable in 64 acres (approximately) or 25·92 Hectares (approximately) of lands out of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby gives notice of its intention to acquire the lands measuring 64·00 acres or 25·92 hectares (approximately) described in the Schedule appended hereto.

NOTE I.—The plans of the area covered by this notification may be inspected in the Office of the Collector, Sahdol (MP) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the National Coal Development Corporation Limited (Revenue Section), Darbhanga House, Ranchi.

NOTE II.—Attention is hereby invited to the provision in section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, which provides as follows:

- “8. (1) Any person interested in any land in respect of which a notification under section 7 has been issued may within thirty days of the issue of the notification object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation.—It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or any other person.

- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, submit the case for the decision of the Central Government together with the record of the proceedings held by him and a report containing his recommendations on the objections.

- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

It may be noted that the Coal Controller, 1, Council House Street, Calcutta-1 has been appointed by the Central Government as the competent authority under the Act.

SCHEDULE

Mahubari Khurd Block

Drg No. REV/36/65 dated 17-7-65.
(Showing lands to be acquired.)

Sl. No.	Village	Tahsil	Village No.	District	Area	Remarks
1	Mahubari Khurd	Sohagpur	845	Sahdol		Part.
Total area:—64·00 Acres (Approximately) OR 25·92 Hectares (Approximately)						

Plot numbers to be acquired in village Mahubari Khurd:

651(P), 652(P), 653(P), 654, 655(P), 656(P), 657(P); 658(P) and 659(P).

Boundary Description:

A-B. Line passes through Plot Nos. 651 and 652 in village Mahubari Khurd and meets at point 'B'.

- B-C-D. Lines pass through plot nos. 652, 653, 655, 656, 657, and 659 in village Mahubari Khurd (which is also the part common boundary of Bljuri Block-VII acquired U/S 9(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. 978 dated 17th September 1962 and meets at point 'D'.
- D-E. line passes along the part northern boundary of Railway line in village Mahubari Khurd and meets at point 'E'.
- E-F. line passes along the part common boundary of Plot Nos. 659 and 661 in village Mahubari Khurd and meets at point 'F'.
- F-G-H-I. Lines pass through plot nos. 659 and 658 in village Mahubari Khurd and meet at point 'I'.
- I-J. Line passes through plot No. 658 and then along the part Western boundary of plot No. 669 in village Mahubari Khurd and meets at point 'J'.
- J-A. Line passes through plot Nos. 658 and 651 in village Mahubari Khurd and meets at point 'A'.

[No. C2-22(21)/63.]

New Delhi, the 7th December 1965

S.O. 3864.—Whereas by the notification of the Government of India in the late Ministry of Steel, Mines and Heavy Engineering (Department of Mines and Metals) S.O. No. 42 dated the 28th December, 1963, under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in lands measuring 5035 acres (approximately) or 2039.18 hectares (approximately) in the localities specified in the Schedule appended to that notification and reproduced in the schedule appended hereto;

And whereas in respect of the said lands no notice under sub-section (1) of section 7 of the said Act has been given;

Now, therefore, in exercise of the powers conferred by the said sub-section (1) of section 7 of the said Act, the Central Government hereby specifies a further period of one year commencing from the 28th December, 1965 as the period within which the Central Government may give notice of its intention to acquire the whole or any part of the said lands or of any rights in or over such lands.

SCHEDULE

Parbatpur Block

(Jharia Coalfield)

(Drg. No. Rev/100/63 dated 8-9-63.).

(Showing lands notified for prospecting).

Sl. No.	Village	Thana	Thana District	Area	Remark
1	2	3	4	5	6
1	Tetengabad	Jharia	90	Dhanbad	Part
2	Majhiladi or Jogidi	Jharia	91	Dhanbad	Part
3	Bardubhi	Jharia	92	Dhanbad	Part
4	Jatudih	Jharia	104	Dhanbad	Part
5	Gansadih	Jharia	105	Dhanbad	Part
6	Jarma	Jharia	106	Dhanbad	Part
7	Parbatpur	Chas	204	Dhanbad	Part
8	Batbinor	Chas	205	Dhanbad	Part
9	Diborda	Chas	208	Dhanbad	Part
10	Nayaban or Pabratnir	Chas	209	Dhanbad	Part
11	Talgaria	Chas	210	Dhanbad	Full
12	Silphor	Chas	211	Dhanbad	Full
13	Fatepur	Chas	212	Dhanbad	Full

1	2	3	4	5	6
14	Kendulia	Chas	215	Dhanbad	Part
15	Tilatanr.	Chas	216	Dhanbad	Part
16	Birajdi	Chas	217	Dhanbad	Full
17	Nawadi	Chas	218	Dhanbad	Full
18	Karmatanr	Chas	219	Dhanbad	Full
19	Debagram	Chas	220	Dhanbad	Full
20	Uparbandha	Chas	221	Dhanbag	Part
21	Jugidi	Chas	222	Dhanbad	Part
22	Mahal	Chas	225	Dhanbad	Part
TOTAL			area: 5035.00 Acres (Approximately) Or 2039.18 Hectares (Approximately)		

Boundary Description:

- A-B line passes through River Damodar in village Tetengabad and then through villages Nayaban or Pabratnir, Diborda, Parbatpur and Batbinor and meets at point 'B'.
- B-C. line passes through village Batbinor, along the common boundary of villages Parbatpur & Kuraya or Babugram, Parbatpur & Uparbandha and then through villages Uparbandha, Jugidi & Mahal and meets at point 'C'.
- C-D. line passes through villages Mahal, Tilatanr & Kendulla and meets at point 'D'.
- D-E. line passes along the Eastern boundary of villages Tilatanr, Fatepur & Silphor and meets at point 'E'.
- E-F. line passes through River Damodar, which is part common boundary of villages Jarma & Petia and meets at point 'F'.
- F-A. line passes through villages Jarma, Gansadih, Jatudih, Bardubhi, Majhiladi or Jogidi and Tetengabad (i.e. along the part left bank of River Damodar) and meets at point 'A'.

[No. C2-20(31)/63.]

RAM SAHAY, Under Secy.

MINISTRY OF COMMERCE**RUBBER CONTROL***New Delhi, the 14th December 1965*

S.O. 3865.—Shri T. V. Joseph, Secretary, Rubber Board, Kottayam, is granted Earned Leave for thirty days with effect from the 20th December, 1965.

In pursuance of sub-section (2) of section 6A of the Rubber Act, 1947 (24 of 1947), the Central Government appoints Shri C. R. Subramanian, Finance and Accounts Officer of the Rubber Board, to officiate as Secretary, Rubber Board, Kottayam, with effect from 20th December, 1965 *vice* Shri T. V. Joseph granted leave.

[No. 21(6)Plant(B)/64.]

B. KRISHNAMURTHY, Under Secy.

MINISTRY OF PETROLEUM AND CHEMICALS*New Delhi, the 1st December 1965*

S.O. 3866.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Kanpur in Uttar Pradesh State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent authority at 7/166 Swarup Nagar, Kanpur. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State —Uttar Pradesh

Tahsil —Sirathu

Distric — Allahabad

Village	Survey No.	Extent B.B.B.
Newarhia	1250	0 2 10
	1431	0 0 15
	1493	0 0 15
	1566	0 0 10
	1567	0 1 0
	1574	0 2 0
	1693	0 0 10

SCHEDULE

State —Uttar Pradesh

Tahsil : Chandauli

Distt.—Varanasi

Village	Survey No.	Extent Acre Decimal	Survey No.	Extent Acre Decimal
I. Saresar	553	0.23

[No. 31/50/63-ONG.]

New Delhi, the 6th December 1965

S.O. 3867.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 3063 dated the 20th September, 1965, under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Gujarat Pipelines Project (O. & N.G.C.) free from all encumbrances.

SCHEDULE

State— Gujarat	District— Broach	Taluka— Ankleshwar
Village	Survey No.	Area required in guitha
Hajat	145 a 145 b	9·2 7·1

[No. 31(67)/63-ONG/OR/Vol. 2.]

S.O. 3868.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, pipelines should be laid by the Indian Oil Corporation Limited and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto,

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority, 9, Syed Amir Ali Avenue, Calcutta-17 in the office of the Indian Oil Corporation Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—West Bengal Dist.—Burdwan Thana—Kanksa.

Village	Survey Nos. (Plot Nos.)	Extent (Area)	Survey Nos. (Plot Nos.)	Extent (Area)
MANIKARA J.L. No. 77	159 160 182 183 184 643 646 647	·20 ·18 ·08 ·07 ·11 ·11 ·12 ·11		

[No. 32(1)/65-OR-Vol. I.]

New Delhi, the 10th December 1965

S.O. 3869.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1752 dated the 25th May, 1965 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State:—Uttar Pradesh.

Tahsil—Bindki.

District:—Fatehpur.

Village.	Survey No.	Extent B.—B.—B.
Mamrezipur	641	0—2—10
Umrauri Kalyanpur	1336	0—0—10
Hasnapur	352	0—0—15

[No. 31(50)/63-ONG/OR-VOL. 9.]

S.O. 3870.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1753 dated the 25th May, 1965 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh

Tahsil—Khaga.

District—Fatehpur.

Village	Survey No.	Extent in B.—B.—B.—
Majhteni	311	0—0—10
Kukra	256	0—1—10
„	555	0—0—10
	4	

[No. 31(50)/63-ONG/OR-VOL. 6.]

S.O. 3871.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2656 dated the 28th August, 1965 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State—West Bengal.		Dist.—Hooghly		Thana—Dhaniahkal I.
Village	Survey Nos. (Plot Nos.)	Extent (Area)	Survey Nos. (Plot Nos.)	Extent (Area)
Mandira J.L. 77	597	06		

[No. 31(33)/63-ONG/OR-VOL. 17.]

CORRIGENDUM

New Delhi, the 2nd December 1965

S.O. 3872.—In the Schedule to Notification under section 6(1) of Petroleum Pipelines Act, 1962 published in the Gazette of India dated 10th October 1964 under Notification No. 31/47/63-ONG-6/Bar bearing S.O. No. 3561 dated 28th September, 1964, only the extents noted against the Survey plots given below are withdrawn from acquisition as the extents denotified are in excess of the actual requirements finally determined.

Village—Birhna	Survey Plot No.	Area to be withdrawn
T. No. 70		
Thana—Barh	3192	0.015
Distt. Patna	3184	0.005
	5069	0.05

[No. 31(47)/63-ONG/OR(BAR)6-Vol. 17.]

ADDENDUM

New Delhi, the 2nd December 1965

S.O. 3873.—In the Schedule to Notification under section 3(1) of Petroleum Pipelines Act published in the Gazette of India dated 11th July 1964, under Notification No. 31(47)/63-ONG bearing S.O. No. 2027 dated 3rd July 1964 also add Survey Plot Nos. 5068 extent 0.07 acre and 5066 extent 0.006 acre both in village Birhna T. No. 70 Thana Barh District Patna.

[No. 31(47)/63-ONG/OR-Vol. 16(6BAR).]

V. P. AGARWAL, Under Secy.

(Department of Petroleum)

ORDER

New Delhi, the 3rd December 1965

S.O. 3874.—In exercise of the powers conferred by clause (b) of section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the powers conferred on it by section 3 of the said Act to make orders under sub-section (2) of that section shall, in relation to petroleum and petroleum products, be exercisable also by the State Government of Nagaland.

[No. F. 101(84)/62(SUP).]

S. K. GUHA, Jt. Secy.

MINISTRY OF HEALTH

New Delhi, the 30th November 1965

S.O. 3875.—In pursuance of sub-section (i) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and consequent on the acceptance of the resignation by the Medical Council of India of Dr. Radha Govind Panigrahi, M.B.B.S., D.P.H. (Cal.), D.T.M. & H., M.P.H. (Harvard), Professor of Social and Preventive Medicine, S.C.B. Medical College, Cuttack with effect from the 4th September, 1965 as a member of the Medical Council of India elected by the Utkal University under section 3(1)(b) of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health No. F. 5-13/59-MI, dated the 9th January, 1960, namely:—

In the said notification, under the heading "Elected under clause (b) of sub-section (1) of Section 3", the following entry appearing against serial No. 10 shall be omitted, namely:—

"Dr. R. G. Panigrahi, M.B.B.S., D.P.H. (Cal.), D.T.M. & H., M.P.H. (Harvard), Professor of Social and Preventive Medicine, S.C.B. Medical College, Cuttack".

[No. F. 4-25/65-MPT.]

R. MURTHI, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

New Delhi, the 8th December 1965

S.O. 3876.—In pursuance of rule 5 of the Indian Merchant Shipping (Seamen's Employment Office) Calcutta Rules, 1954, the Central Government hereby reconstitutes the Seamen's Employment Board (Home Trade) at the port of Calcutta for a period of two years with effect from the date of issue of this notification and appoints the following persons to be members thereof, namely:—

1. Deputy Director General of Shipping, in-charge of Seamen's Employment Offices—*Chairman*.
2. Director, Seamen's Employment Office, Calcutta.—*Member Secretary*.
3. Shri M. K. Tanna } *Members representing Shipowners.*
4. Capt. D. A. Beale }
5. Shri Bejoy K. Mukerjee. } *Members representing seamen.*
6. Shri Amitara Tat }

[No. 15-MT(3)/65.]

D. S. NIM, Dy. Secy.

MINISTRY OF WORKS AND HOUSING

New Delhi, the 1st December 1965

S.O. 3877.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby directs that the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, for the time being in force and applicable to Government residences in Delhi, shall apply *mutatis mutandis* to the allotment of Government residences in Madras and that the said rules shall have effect in their application to Madras subject to the following modifications, namely:—

In the said rules—

- (i) for the word "Delhi" wherever it occurs, including the first paragraph below the heading "Division XXVI-B", the word "Madras" shall be substituted;
- (ii) the words "or the Delhi Administration" occurring in the first paragraph below the heading "Division XXVI-B", shall be omitted;

(iii) for S.R. 317-B-1, the following shall be substituted:—

“S.R. 317-B-1. (1) The rules in this Division may be called the Allotment of Government Residences (General Pool in Madras) Rules, 1965.

(2) They shall come into force on the 1st day of December, 1965.

(iv) in S.R. 317-B-2—

(a) clause (c) shall be omitted;

(b) after clause (h), the following clause shall be inserted, namely:—

“(hh) “Madras” means the areas included within the jurisdiction of the municipal ‘Corporation of Madras’.”;

(c) in clause (n), the words “other than Delhi Administration” shall be omitted;

(v) in S.R. 317-B-3—

(a) in sub-rule (1), in clause (a), for the words “sixteen kilometres”, the words “twenty five kilometres” shall be substituted;

(b) in sub-rule (3), the second proviso shall be omitted;

(vi) in S.R. 317-B-7, in sub-rule (1), clause (iii) shall be omitted;

(vii) S.R. 317-B-8 shall be omitted;

(viii) in S.R. 317-B-10, in sub-rule (2), the words, letters, figures and brackets “or for which he has applied under S.R. 317-B-7(iii)” shall be omitted’.

(ix) in S.R. 317-B-15, sub-rule (4) shall be omitted;

(x) in S.R. 317-B-16, the letters, figures and word “S.R. 317-B-8 or” shall be omitted;

(xi) in S.R. 317-B-19—

(a) for the words “the New Delhi Municipal Committee or the Municipal Corporation of Delhi as the case may be”, the words “Municipal Corporation of Madras” shall be substituted;

(b) for the words “Directorate of Horticulture” the words “Central Public Works Department” shall be substituted;

(xii) S.R. 317-B-23 shall be omitted;

(xiii) After S.R. 317-B-26, the following rule shall be added at the end, namely:—

“Delegation of powers.—S.R. 317-B-27.

The Director of Estates may, by general or special order in writing, direct that subject to such conditions, if any, as may be specified in the order, any power exercisable by him under these rules shall be exercisable also by the Assistant Estate Manager, Madras.”

[No. 3/23/65-Acc.-I.]

B. M. LAL, Under Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 8th December 1965

S.O. 3878.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the State of Uttar Pradesh, Shri P. P. Jauhari, Assistant Settlement Officer in the office of the Assistant Settlement Commissioner, Incharge Uttar Pradesh Region as Assistant Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act, with effect from the date he took over charge of his office.

[No. 7/17/ARG/60.]

S.O. 3879.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoints for the State of Uttar Pradesh, Shri P. P. Jauhari, Assistant Settlement Officer in the office of Assistant

Settlement Commissioner, Incharge, Uttar Pradesh, Lucknow as Managing Officer for the custody, management and disposal of compensation pool with effect from the date he took over charge of his office.

[No.7/17/ARG/60]

S.O. 3880.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints Shri R. S. Kang, I.A.S., Secretary to the Government of Punjab, Rehabilitation, Department, as Custodian for the State of Punjab for the purpose of discharging the duties imposed on a Custodian by or under the said Act with effect from the date he took over charge of his post.

[7/21/ARG/65.]

KANWAR BAHADUR, Settlement Commissioner (A)
& Ex-Officio Dy. Secy. to the Government of India.

खाद्य तथा कृषि मंत्रालय

कृषि विभाग

नई दिल्ली 6 नवम्बर, 1965

दुर्भिक्ष

एस०ओ० 3881.—सूतपूर्व राजस्व और कृषि विभाग अधिसूचना नं० 1616 एफ दिनांक 25 जुलाई 1960 द्वारा प्रकाशित नियमों में नियम 3 के धारा ए के अनुसार समय समय पर सशोधित इसके नियम 4 को दृष्टि में रखते हुए, भारत सरकार ने श्री राजकृष्ण बोस, तेलंगा बाजार, कटक-1 को इसी समय से श्रीमती पार्वती एम० कृष्णन के स्थान पर इंडियन पीपल्स फ़ैमिन ट्रस्ट के प्रबन्धक मण्डल का सदस्य सहित नियुक्त किया है।

[संख्या 19/3/65/65: जनरल 2]

ब० रा० कौर,

अवर सचिव।

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

CORRIGENDUM

New Delhi, the 9th December 1965

S.O. 3882.—In the amendments to the Tobacco Grading and Marking Rules 1937 published under the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S.O. 2058, dated the 3rd July, 1965 on pages 2416 to 2420 of the Gazette of India, Part II Section 3(ii), dated the 17th July, 1965:—

1. At page 2416, in Schedule II,

(a) in the first line, for "designations" read "designation";

(b) against Grade AF, in column 2, for "Bright lemon and/or bright orange and/or yellow to light orange" read "Bright lemon and/or bright yellow and/or bright orange and/or lemon and/or yellow and/or light orange";

2. At page 2417,

(a) against Grade AT, in column 2, for "Bright lemon and/or bright orange and/or yellow to light orange", read "Bright lemon and/or bright

yellow and/or bright orange and/or lemon and/or yellow and/or light orange”;

- (b) against Grade 4, in column 4, for “blemish” read “blemish”;
- (c) against Grade MG, in column 4, for “belmish” read “blemish”;
- (d) against Grade LBY, in column 4, for “bruise” read “bruised”, for “blemis” read “blemish”, for “no” read “not” and for “tota” read “total”;

3. At page 2418—

- (a) against Grade B, in column 4 in line 2, for “pathes” read “patches”;
- (b) against Grade ‘Bright bits’, in column 2, for “Bright lemon and/or bright yellow and/or bright orange, lemon and/or yellow and/or light orange, light brownish lemon and/or light brownish yellow and light brownish orange, light green colour” read “Bright lemon and/or bright yellow and/or bright orange, lemon and/or yellow and/or light orange, light brownish yellow and/or light brownish orange, light green colour”.

4. At page 2419—

- (a) in column 1, for “stoms” read “stems††” and in column 4, for “pFocess”, read “process”;
- (b) in the 7th line from the bottom, before the word “Grade”, the mark “¶” may be inserted.

5. At page 2420,



- (a) in the 9th line from the top, for “manufacurer”, read “manufacturer”;
- (b) in the line against the marks “***”, for “fermentoned” read “fermented”.

[No. F. 11-4/65-AM.]

ERRATA

New Delhi, the 9th December 1965

S.O. 3883.—In the corrigendum to the Tobacco Grading and Marking (Amendment) Rules, 1964 issued under the notification of the Government of India in the Ministry of Food and Agriculture (Deptt. of Agriculture) No. S.O. 1584, dated the 7th May, 1965, published at page 1810 of Part II Section 3(ii) of the Gazette of India dated the 22nd May, 1965, the following corrections are to be made:—

- (i) for “AF *”, “AS *” and “AT *” read “AF 
 - (ii) for “* The” read “
 - (iii) for “Nicotiana rustica” read “Nicotiana rustica”.

[No. F. 11-4/65-AM.]

SANTOKH SINGH, Under Secy.

(Department of Agriculture)

CORRIGENDUM

New Delhi, the 9th December 1965

S.O. 3884.—In the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) dated the 18th September, 1965, published on pages 3295, 3296 and 3297 of the Gazette of India, Part II Section 3, sub-section (ii) dated the October 9th, 1965, in the Schedule, at page 3296, for the entry in column 7 against item 22B read

“Essential:

1. Degree in Agriculture/Dairying or in Veterinary Science, or in Animal Husbandry of recognised University or equivalent.
2. Post-graduate training in Animal Husbandry.
3. About three years’ experience of management of farm animals.
(Qualifications relaxable at Commission’s discretion in the case of candidates otherwise well qualified.)”.

[No. 36-1/59-SolI Cons.(I).]

V. S. NIGAM, Under Secy.

MINISTRY OF INDUSTRY AND SUPPLY

(Department of Industry)

(Indian Standards Institution)

New Delhi, the 10th December 1965

S.O. 3885.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standard Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that Certification Marks Licence No. CM/L-513, particulars of which are given in the Schedule here to annexed, has been cancelled with effect from 10 December 1965.

THE SCHEDULE

Sl. No.	Licence No. and Date	Name and Address of the Licensee	Article/Process Covered by the Licence	Relevant Indian Standard
1	CM/L-513 5 March 1963.	M/s. Jai Hind Trading Corporation, Ghantewala Bagh, G.T. Road, P.O. Pasonda (Ghaziabad) having their office at 5189/90 Sadar Bazar, Delhi-6.	(i) Single-pole 15 ampere tumbler switches, 250 volts. (ii) Single-pole, one-way 5 ampere tumbler switches with porcelain base and all-bakelite, 250 volts.	IS: 2120-1965 Specification for 15 ampere tumbler switches (revised). IS: 1087-1957 Specification for single-pole 5-ampere tumbler switches for AC/DC.

[MD/12:840.]

D. V. KARMARKAR,
Joint Director (Marks).

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 6th December 1965

S.O. 3886.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

THE SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	5	7	8	8	10	11
1	Jammu and Kashmir.	Srinagar	Khas	Koti Bagh	Sankracharya temple together with adjacent land comprised in survey plot Nos. 392 and 393.	Survey plot Nos. 392 and 393.	1 kanal and 7 marlas.	North: Survey plot No. 409. East: Survey plot No. 409. South: Survey plot No. 409. West: Survey plot No. 409.	Survey plot No. 393—Government and the remaining is temple property.	Temple is under worship.

[No. F. 4-19/65-C.1.]

SHARDA RAO (MRS.),

Assistant Educational Adviser.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 4th December 1965

S.O. 3887.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the under-mentioned instrument may be executed on his behalf by the Director, Indian Institute of Mass Communication in the Ministry of Information and Broadcasting, namely:—

"Agreement for and indenture of lease of the property at No. 2, Ring Road, Kilokri, New Delhi with Shri T. C. Sanghi, Karta and Manager of the Joint Hindu family firm M/s. Sanghi and Sons."

[No. 18/35/65-CIS.]

R. K. GOVIL, Under Secy.

ORDERS

New Delhi, the 7th December 1965

S.O. 3888.—In pursuance of the Directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

THE SECOND SCHEDULE

Sl. No.	Title of the film.	Length 35 mm	Name of the Applicant	Name of the Producer	Whether a scientific film or a film intended for edu- cational purposes or a film dealing with news and current events or docu- mentary film.
1	2	3	4	5	6
1.	Maharashtra News No. 162	302 M	Director of Publicity, Go- vernment of Maharashtra, Bombay.	Film dealing with news and current events (For release in Maharashtra Circuit only).	

[No. F. 24/1/65-FP app. 1047.]

S.O. 3889.—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 2732 dated the 20th September of 1963, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all their language versions to be of the description specified against each in column 6 of the said Schedule.

SCHEDULE

Sl. No.	Title of the film	Length 35 mm	Name of the Ap- plicant	Name of the Producer	Whether a scientific film or a film intended for edu- cational purposes or a film dealing with news and current events or a document- ary film
1	2	3	4	5	6
1	Indian News Review No. 895	243M	Films Division, Go- vernment of India, Bombay.	Films Division, Government of India, Bombay.	Film dealing with news and current events.
2	Struggle for Oil	609·60M	Oil & Natural Gas Commission, Bombay.	M/s Rajbans Khanna Productions, Bombay.	Film intended for educational purposes.

[No. F. 24/1/65-FP. App. 1048.]

S.O. 3890.—In pursuance of the directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in Hindi versions to be of the description specified against it in column 6 of the said Second Schedule.

THE FIRST SCHEDULE

(1) Sub-Section (4) of Section 3 of the Uttar Pradesh Cinemas (Regulation) Act, 1955 (Uttar Pradesh Act, No. 3 of 1955).

THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35 mm.	Name of the Applicant	Name of the Producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a docu- mentary film
1	2	3	4	5	6
1	Chetana	286.50N	Director of Information, Government of Uttar Pradesh, Lucknow.		Film intended for educa- tional purposes (For release in Uttar Pradesh Circuit only).

[No. F. 24/1/65-FP App. 1049.]

CORRIGENDUM

New Delhi, the 7th December 1965

S.O. 3891.—In the Notification of the Ministry of Information and Broadcasting No. S.O. 3224 dated the 6th October, 1965, published at page 3397 in Part II—Section 3—Sub-section (ii) of the Gazette of India Extra-ordinary dated the 16th October, 1965, in the last line of Notification for "25th August, 1965" please read '6th October, 1965'.

[No. 11/3/65-FC.]

D. R. KHANNA, Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 6th December 1965

S.O. 3892.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to Bombay Port Trust, Bombay and their workmen which was received by the Central Government on the 27th November 1965.

BEFORE SHRI M. R. MEHER, INDUSTRIAL TRIBUNAL, MAHARASHTRA,
BOMBAY.

REFERENCE (IT-CG) No. 1 of 1963

Adjudication.

BETWEEN:

Bombay Port Trust, Bombay

AND

The workmen employed under it.

In the matter of certain anomalies in respect of tally clerks.

APPEARANCES:

Shri M.R.S. Captain with Shri Batuk Mehta for the Bombay Port Trust.

Shri W.T. Pinto for the Transport and Dock Workers' Union.

AWARD PART—V.

I had made my Award Part IV on the 29th July 1965 on the demands covered in the order of reference, except on the demand regarding anomalies with regard to the tally clerks. The parties had stated that they would arrive at a settlement on this demand. Accordingly the Bombay Port and the Transport and Dock Workers' Union who represent the overwhelming majority of tally clerks have filed the purshis as under:—

- (a) The parties agree that there is no anomaly in the scale of pay prescribed by the C. C. Committee for Tally Clerks but that the total number of posts of Tally Clerks, Clerks Grade II and Clerks Grade I should be re-adjusted as follows:
 - (i) 101 posts of Tally Clerks which were vacant as on 24th November, 1964, to be abolished,
 - (ii) the strength of Tally Clerks as from 1st October, 1962, to be fixed at 750,
 - (iii) the strength of 2nd grade Clerks from 1st October, 1962, to be increased to 609, and
 - (iv) the strength of 1st grade clerks to be increased to 372 from 1st October, 1962.

They have further stated that they were unable to obtain concurrence of the Bombay Port Trust General Workers' Union to the above proposals but have submitted that the said Union is not entitled to be heard in the matter since it does not represent tally clerks.

2. When the matter came up for hearing there was no appearance on behalf of the Bombay Port Trust General Workers' Union in spite of the due notice having been served upon it.

3. It is prayed in the above purshis that the Award relating to the above demand may be made. I make an Award in terms of the above purshis and the reference stands disposed of.

Sd./- M. R. MEHER,
Industrial Tribunal.

Bombay, the 19th November 1965.

[No. 28/54/63-LRIV.]
H. C. MANGHANI, Under Secy.

New Delhi, the 7th December 1965

S.O. 3893.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the management of Kalyanpur Lime and Cement Works Limited, Banjari Post Office, Banjari (Shahabad), Bihar and their workmen which was received by the Central Government on the 30th November, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of a reference under Section 10(1)(d) of The Industrial Disputes Act, 1947.

REFERENCE No. 123 of 1964

PARTIES

Employers in relation to the Management of Kalyanpur Lime & Cement Works Ltd., Banjari (Shahabad), Bihar.

AND

Their Workmen.

Present:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

Appearances:

For the Employers—Shri Schchindanand Singh, Welfare Officer.

For the Workmen—Sri Devaki Nandan Prasad, Secretary, Kalyanpur Mazdoor Panchayat.

STATE: Bihar.

INDUSTRY: Lime and Cement

Dhanbad, dated the 16th August, 1965.

AWARD

By its order No. 22/21/63-LR.I, dated the 30th October 1964, the Government of India, Ministry of Labour and Employment, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Management of Kalyanpur Lime and Cement Works Ltd., Banjari, P.O. Banjari (Shahabad), Bihar, and, their workmen in respect of the matters specified below:

SCHEDULE

"Whether the action of the management in terminating the services of Shri Dukhi Koeri, Trolleyman, with effect from 28th January, 1963 and in refusing to employ Shri Dipchand Mallah, Beldar, from January 1961 is justified, and, if not, to what relief are these two workmen entitled?"

2. The management filed its written statement on 21st November, 1964, whereas, on behalf of the two concerned workmen, the Secretary, Kalyanpur Mazdoor Panchayat, Banjari, filed a written statement on 19th January, 1965.

3. The case was heard at Patna in the premises of the Bihar State Industrial Tribunal. The management was represented by Shri Schchindanand Singh, Welfare Officer of the Company and the concerned workmen were represented by Shri Devaki Nandan Prasad, Secretary, Kalyanpur Mazdoor Panchayat.

It may be stated here that on behalf of the Union a Lawyer, Shri Rama Raman, Advocate, appeared, but on the objection of the management his appearance was disallowed and thereafter the workmen above named were represented throughout by the Secretary of the Union.

4. I may mention one fact at the outset. An oral application was made by Shri Singh, on behalf of the management, on 4th August, 1965, for adjournment of the case as the management desired to be represented by a Lawyer; but I refused

this request for two reasons: The first was that when the workmen were represented not by a Lawyer but by the Secretary of the Union it was obvious that the Union would not allow the management to be represented by a Lawyer, and, therefore, to permit the management to take time on this ground would have been a waste of time. The second reason was that I found that the Welfare Officer, who represented the management conducted the proceeding on behalf of the management on 29th July, 1965, with ability and thoroughness, and, therefore, it could not be said that the case of the management was not being looked after well for want of a Lawyer.

5. Both parties filed documents which, with mutual consent, were taken in evidence and marked as exhibits. Documents filed by the management were marked Exts. M. to M. 25 and those filed by the Union were marked Exts. W. to W. 4.

6. Both the parties examined witnesses. On behalf of the workmen, W.W. 1—Shri Moti Singh; W.W. 2—Shri Dukhi Keory—one of the two concerned workmen, and W.W. 3—Shri Dipchand Mallah, the other concerned workmen, were examined. On behalf of the management, M.W. 1—Shri B. N. Sinha, Assistant Quarry Manager, and, M.W. 2—Shri K. D. Narain, Senior Clerk (Quarry), were examined.

It may be mentioned that on 29th July, 1965, it was stated on behalf of the management that it did not propose to examine any witness, but on 4th August, 1965, the management filed a list of witnesses named in the said petition and asked for permission to examine them, and, I permitted the management to examine its witnesses the next day and they were examined on 5th August, 1965, after rejecting the objection of the Union.

7. The case of the management, which was placed before the Tribunal with regard to the workmen, was as below:

(a) *Re: Dukhi Koeri*: He was working as a trolleyman in the Quarry and he absented himself from work from 22nd January, 1963, continuously for more than 7 days without any information. Consequently, in conformity with the agreement, dated 27th July, 1955, between the management and the Union, Ext. M 18, which provides that "absence from work for 7 days continuously without information will be treated as dismissal from work," his services were terminated on 21st January, 1963 and his name was struck off from the rolls and, thereafter, he ceased to be in the employment of the Company. After a lapse of more than 3 months, however, in the month of May, 1963, some vacancies of purely temporary nature occurred in the Company's Quarry and then Dukhi Koeri was appointed on a purely temporary job for a period of three months and in respect of the said temporary employment he was given an appointment letter, which he signed and accepted the terms of his appointment. On and from 1st August, 1963 the services of Dukhi Koeri were terminated in terms of the aforesaid temporary appointment and he ceased to be in the employment of the Company. Dukhi Koeri was paid the wages for the period of his said temporary period of employment and, thereafter, on 7th October, 1964, he made an application for payment of his Provident Fund money which was also paid to him. Dukhi Koeri alleged that he was ill during the period from 22nd January, 1963 to 15th February, 1963 and he produced a medical certificate but it was ante-dated and incorrect.

(b) *Re: Dipchand Mallah*: On 30th May, 1960, he met with an accident while on duty, which resulted in the loss of the vision of his right eye and in consequence of this he was considered unfit for employment in a quarry and, therefore, he was discharged. Dipchand Mallah was later paid Rs. 441 in full settlement of all and every claim under the Workmen's Compensation Act, 1923, in respect of the aforesaid disablement on 28th June, 1960. He never made either oral or written application to the management for his re-employment and as such the question of his re-employment did not arise.

8. The case of the union, on behalf of the two concerned workmen, may be summarised as below:

(a) *Re: Dukhi Koeri*: The services of Dukhi Koeri were departmental on and from January, 1960 and since then he became a direct employee of the Company. He had been in the regular employment of the Company in the quarry situated at Banjari for about last 15 years. He went on leave without pay from 11th January, 1963 to 21st January, 1963, for some urgent domestic work, but before the expiry of the said leave, he fell seriously ill, and, therefore, he could not join his duty on 21st January, 1963 and as he continued to be ill thereafter also he remained absent from duty for a further period of 6 days. Dukhi Koeri joined his duty on 28th January, 1963, even though he had not fully recovered and he actually performed his duties any how on that day, and on 28th January, 1963,

in the evening he fell prey to sudden attack of high fever, which rendered him unconscious for two days. In the evening of 29th January, 1963, small-pox became visible all over his face and body, which rendered him further bed-ridden for some days and thus he again remained absent from duty for 7 days. After recovery, he went to join his duty, but to his utter surprise, he was given to understand that his name was struck off due to long absence and so he could not be allowed on duty. Dukhi Koeri then approached the Company's doctor with a certificate given by the Mukhiya and Sarpanch of Kasigaon Panchayat and the said doctor examined him and certified about the truth of his illness and with this certificate of the Company's doctor he approached the Labour Officer of the Company, who sent all the relevant papers, including the Company's doctor's certificate, to the Quarry Manager with his remarks. He then went to the Quarry Manager and personally requested him to kindly allow him on duty. Later on, he submitted several applications to the Quarry Manager for consideration of his case, but to no avail. In May, 1963, Dukhi Koeri was taken in employment for a temporary period, where he worked till the 1st August 1963. He was again discharged without any intimation or notice. It was, therefore, alleged that his dismissal was illegal and unjustified and actuated by bad motive with a view to victimise him for his rival trade union activities.

(b) *Re: Dipchand Mallah, Beldar:* He met with a serious accident on 30th May, 1960 at 10 A.M. in the lime stone quarry of the Company while working there, as a result of which he remained confined to bed for about 7 months and the vision of his right eye was lost and as per doctor's certificate he lost 30 per cent of his earning capacity; that he was paid a lump sum compensation of Rs. 441 by the management, but as the said sum was less, taking into consideration the wages according to the recommendations of the Cement Wage Board, he approached the management for higher amount of compensation, which was refused point-blank by the management, but later the matter was referred to the Labour Inspector (C), Patna, who after enquiry held on 22nd December, 1961, directed the management to pay a further sum on account of compensation, which was paid by the Company as late as August 1962. When he fully recovered from the accident injury, he approached the Quarry Manager for allowing him on duty, but it was denied by the management. When the matter was referred to the Conciliation Officer, he tried to settle both the cases at a time, but the management refused to participate in the conciliation proceeding; that, therefore, he should be reinstated to his former job as a Beldar with full back wages.

9. I will take up the cases of the two concerned workmen separately as the facts of each of them are different and different consideration arises for deciding the case of each of the two.

Re: Dukhi Koeri, Trolleyman:

10. Admittedly, Dukhi Koeri was on leave from 11th January, 1963 to 21st January, 1963, and his services were terminated on 29th January, 1963. The management filed the Attendance Register Ext. M. 24, from which it appears that Dukhi Koeri, Serial No. 231, was marked absent from 8th January, 1963 to 11th January, 1963, but was marked on leave from 12th January, 1963 to 20th January, 1963 and thereafter again he was marked absent from 21st January, 1963 to 28th January, 1963 and from 29th January, 1963, there is no attendance recorded. On the question of Attendance Register, Ext. M. 24, Shri B. N. Sinha, Assistant Quarry Manager (M.W. 1), was examined. In the course of his cross-examination he stated that Dukhi Koeri was on leave till 20th January, 1963, but he was marked absent on that day in the Attendance Register by the clerk instead of being marked as 'on leave'. On this evidence, therefore, the entries mentioned in the Attendance Register do not appear to have been kept properly and written carefully in due course of business and, as such, are of not much assistance in deciding the case.

It may be mentioned that before 1962 work was being carried on, on behalf of the Company, by its contractor, and, therefore, all the workers were contractor's workers, but on the evidence of M.W. 1, the management started to do its work departmentally in 1962 and thereafter all the workers became Company's workers and they came under the direct employment of the Company. On the evidence of M.W. 1, a leave register under the Mine Rules, is kept, but it has not been filed and every worker since the time the management started work in 1962 is given a job card, which is deposited at the end of the month for preparation of the pay bill, although no such job card was maintained in the time of the contractor, but no such job card of Dukhi Koeri has been produced. M.W. 1, however, admitted that he did not remember particularly about Dukhi Koeri, but he said that he along with other workers must have been given job cards.

Admittedly, the services of Dukhi Koeri were terminated on 29th January, 1963 on the ground that he absented himself without leave and without information for more than 7 days in accordance with the Agreement (Ext. M. 18). The case of the workman, however, is that he was suffering from small-pox from 29th January, 1963 to 15th February, 1963, as it will appear from the doctor's certificate (Ext. W. 1), granted by the admitted Company's doctor, and, therefore, he could not report for duty before 16th February, 1963, from which date he was declared fit. His further case was, as deposed to by W.W. 1, that he worked on 28th January, 1963, but after returning from home in the evening he got fever and next day he got chicken pox. The question is whether this story can be accepted as true. I will deal with this case after I have dealt with the Agreement (Ext. M. 18).

11. Ext. M. 18 is an Agreement dated 27th July, 1955 between the management and the union laying down the conditions of employment and discharge of labourers working in the Quarries under contractors. The relevant condition for our purpose is No. 6, which is as below:

"6. Absence from work for seven days continuously without information will be treated as dismissal from work."

This services of Dukhi Koeri were terminated on 29th January, 1963, after the Company had taken over itself the management from its Contractors. The case of the management is that even after the abolition of the contract system, the above agreement of the time of the contractor, continued to govern the conditions of service of the employees of the Company and, therefore, the aforesaid quoted Condition No. 6 applied to Dukhi.

Condition No. 6 lays down that absence from work for seven days continuously without information will be treated as dismissal from work. The management relies very strongly on Condition No. 6 in the Agreement (Ext. M. 18) and says that although the contract system was abolished and the work was taken over by the management and done departmentally, but those conditions of employment and discharge, which governed the employees working in the Quarry under contractor continued to govern them and, therefore, Condition No. 6 applied to the concerned workmen also. I may mention that there is no evidence except what I have stated above from the evidence of M.W. 1 as to when exactly and on what date the contract system was abolished and on what date the working of the quarries was taken over by the Company. There is no iota of evidence of the further agreement between the Company and the union representing the workmen or this particular workman, in the present case, that they or he would be governed by the Agreement (Ext. M. 18). For this reason I am unable to hold that this Agreement (Ext. M. 18) governs the conditions of employment and discharge of the workmen concerned even after 1962, without any specific agreement by the concerned workmen to abide by the same.

12. This Agreement (Ext. M. 18) can be looked at from another aspect also. Condition No. 6 that "absence from work for more than 7 days continuously without information will be treated as dismissal from work" and the workmen will be dismissed summarily without any charge-sheet or holding any enquiry is very unjust and unfair and must be struck down as invalid offending against the principles of natural justice. How can a workman be dismissed or his services terminated under Condition No. 6 of the Agreement (Ext. M. 18) unless a charge-sheet is issued against him, he is given an opportunity to explain his absence and an enquiry is held into the charge-sheet and he is found guilty at the said domestic enquiry. The fact that Condition No. 6 is unfair and unjust is also clear from the Certified Standing Orders of the Company, dated 23rd June, 1964 (Ext. M. 21) although made after the dismissal of the concerned workman. Paragraph 29 (XXV) of the Standing Orders (Ext. M. 21) provides, no doubt, that, without prejudice to the general meaning of the term 'misconduct', continuous absence without permission and without satisfactory cause for more than seven days shall be deemed to mean misconduct, but the Standing Orders (Ext. M. 21) in Paragraph 30 lays down a detailed procedure for dealing with cases of misconduct, whereby charge-sheet has to be framed, enquiry has to be made and the workman has to be given an opportunity of explaining and defending his action and thereafter there is a provision for an appeal also. It is true that these Standing Orders (Ext. M. 21) came into force on 23rd June, 1964 and, therefore, they do not apply to the case of the workman, who was dismissed on 29th January, 1963, but, certainly the Condition No. 6, in the agreement (Ext. M. 18) quoted above, which lays down for a summary dismissal without any charge-sheet or any enquiry or giving any opportunity to the workman to defend his action, must be held to be against the principles of natural justice.

For those reasons, I hold (i) that the concerned workman is not bound by the Agreement (Ext. M. 18), and (ii) that Condition No. 6 in the Agreement (Ext. M. 18) was invalid, unfair and unjust and against the principles of natural justice and, therefore, it is struck down.

13. For the above reasons, the termination of service of the concerned workman Dukhi Koeri is set aside as invalid, unfair and unjust.

14. On the above finding, it is not necessary to consider whether Dukhi had reasonable defence to explain his absence at all or to consider his defence taken in this case. I may, however, express my opinion on his defence also.

When the medical certificate (Ext. W. 1) was not challenged before me, on behalf of the management, and when it was admitted that it had been granted by the Company's Doctor, there is no reason to distrust the doctor or to reject the medical certificate. On this medical certificate (Ext. W. 1), it is clear that the concerned workman could not possibly have joined duty, because he was suffering from chicken-pox from 29th January, 1963 to 15th February, 1963. The fact that he mentioned small-pox instead of chicken-pox is no ground to reject the medical certificate, because it is a matter of common knowledge that even educated people generally use the word 'small-pox' even when they really mean measles or chicken-pox. I, therefore, hold that the workman concerned was unable to join duty as he was ill due to chicken-pox from 29th January, 1963 to 15th February, 1963.

15. His evidence, as deposed to by M.W. 1. that he worked on 28th January, 1963, so that he may not lose his job for being absent for more than seven days seems to be most natural and probable. The reliance by the management on the Attendance Register (Ext. M. 24) for the reasons given before is of no help, because the Attendance Register is not a reliable document, as it has not been written carefully and correctly and in the ordinary course of business as it appears from the evidence of the management's own witness M.W. 1. Therefore, the fact that the workman is marked absent on 28th January, 1963, in the Attendance Register (Ext. M. 24) is of no consequence and on that basis I cannot hold that actually he was absent on that day. I, therefore, hold that he joined duty, after leave, on 28th January, 1963 and was present on 28th January, 1963 and he did work on that date. His defence, therefore, is correct.

I, therefore, hold that he joined duty after his leave on 28th January, 1963 and was present in the Quarry on 28th January, 1963 and worked there, and, as such he was not absent for more than seven days, as alleged by the management, so as to entitle it to terminate his services on 29th January, 1963, even assuming the invalid Condition No. 6 of the Agreement (Ext. M. 18) applied.

Re: Dipchand Mallah, Beldar:

16. Admittedly, this workman has been paid compensation under The Workmen's Compensation Act to the extent of Rs. 441. He, however, on 13th June, 1960, made an application Ext. M. 1 to the Quarry Manager for payment of money for his treatment. It was, however, admitted by the workman, who was examined as W.W. 3, that the expenses of his medical treatment was borne by the Company. Subsequently, on 9th April, 1962, the workman made another application (Ext. M.) to the Quarry Manager for payment of Rs. 148.80 nP. more on account of compensation money, which the Company was not paying on delaying tactics. This money also was admitted by the workman W.W. 3 in Para 3, Part 2, of the written statement that the management paid a further sum on account of compensation after much higgling as late as August, 1962.

We are, therefore, in the present reference, concerned only with the question of his re-employment. On this question, the workman, W.W. 3, stated that when he went to the Manager, he was refused work on the ground as to why he had filed claim case against the Company, meaning thereby the case under The Workmen's Compensation Act. On behalf of the management, however, Shri B. N. Sinha, Assistant Quarry Manager, M.W. 1, stated that after the accident the workman never approached for re-instatement or for some light work. The case of the union is that whenever due to an accident a workman has been disabled partially, he has been given some light work by the Company. The case of the union is supported by Sri Moti Singh, Mukhia, Kalyanpur Mazdoor Panchayat, W.W. 1, who said that he knew that in the Company a workman, who met with an accident in course of his duty, which made him unfit for work in his life, is re-employed and given light work and if a minor loses one eye, he can still work in a mine. He, however, gave two instances of this. He said that one Ramjan Mia lost one eye, but he was given work in his Company; and, another

Ram Kishan Chamar, another worker, lost both his legs in accident, but later, his broken legs were joined, although he became very weak and still he was given light work of a peon. Shri B. N. Sinha, M.W. 1, Assistant Quarry Manager, who was examined, on behalf of the management, further stated that there was no Rule in the Company for giving employment to a workman, who suffered from an accident. M.W. 2 Shri K. D. Narain, Senior Clerk of the Quarry of the Company, admitted that Ram Kishun Chamar, who met with an accident, was sent by the Company to Patna and the Company met all the expenses for his treatment and after his return he was given the same job, which he was given before the injury. Relying on the statements of M.W. 2 and W.W. 1 it was contended, on behalf of the union, that there is no reason why the concerned workman, Dipchand Mallah, whose one eye is perfectly alright, should not be given the same work of a miner, which he was doing before, what to speak of some light work.

It was, however, contended, on behalf of the management, that the workman neither in his application made on 13th June, 1960 (Ext. M. 1) nor in his subsequent application made on 9th April, 1962 (Ext. M.) made to the Quarry Manager asked for re-employment at all, and, therefore, his claim for re-employment should not be considered. It appears, however, from Ext. W. 3, which is a letter from the Labour and Conciliation Officer, Dalmianagar, to the Secretary, Union Ministry of Labour written on 20th July, 1964, that the concerned workman, Dipchand Mallah, who met with an accident on 30th May, 1960 and remained confined to bed for about 7 months, after recovery from his injury reported for duty some time in January 1961, but he was not allowed to join duty although he was fit for the work inasmuch as his left eye was alright and that being only 33 years old only, he is quite fit to do the work that he had been doing before the accident. It was further alleged that because this workman, like his elder brother, is a staunch supporter of the union, the management removed him from service so that the union may not get foothold there, as such, it is not correct to say that this workman is not pressing the management for his re-employment in the same job, which he was doing before as Beldar.

I am not impressed with the case of the management that the concerned workman never approached the management and asked for re-employment. This is most unnatural in the ordinary course of events also because he is a young man and quite fit to do the work of a Beldar. I saw him in the witness box and I am satisfied that the case of the union is correct. He was examined as W.W. 3.

17. The crucial question, however, is, in the view of these circumstances, was there any obligation on the management to re-employ the workman concerned? In the instant case, admittedly the disablement suffered by the concerned employee was partial though permanent in that the vision of one eye is perfectly alright. This disablement, although of a permanent nature in losing eye sight in one eye only is no more than losing his full capacity of earning. The explanation, therefore, offered on behalf of the Company in course of the argument before the Tribunal that the Company could not give any job to him as there was no other job available, cannot be accepted. On the admission of M.W. 2, Shri K. D. Narain, Senior Clerk of the Quarry, Ram Kishun Chamar, who met with an accident and after his injury was cured, was given the same job, which he was doing before, as alleged on behalf of the workman, and as deposed to by his witness W.W. 1 Shri Moti Singh, Mukhia of Gram Panchayat. There seems to be no reason why when Ram Kishun Chamar, who lost both his legs in an accident, but later when his broken legs were joined and although they were very weak and still he was given light work of a peon, this workman, who has lost only one eye but his other eye is alright and is a youngman and quite fit to work as Beldar, should not be given the same work, which he was doing before. The fact that he has lost one eye can be no hindrance in his work as a Beldar. No doubt, W.W. 1, Shri Moti Singh spoke of Ramjan Mian, who lost one eye and he was given work in the Company, but M.W. 2, Shri K. D. Narain, says that there is no such workman, named, Ramjan Mian in the Quarry, still it is clear from the case of Ram Kishun Chamar that the Company does give work to a workman, who has suffered from an accident after he is cured and he is employed either on the same job or some other light work. In the instant case, the concerned workman wanted some light work, like that of a peon or the like, which could easily be given to him. The attitude of the management, therefore, that it cannot provide him with any such work, either the original work of a Beldar, which he was doing or any other lighter work, does not at all appear to me to be a reasonable attitude.

For these reasons, I hold that the concerned workman, Dipchand Mallah, is quite fit and the vision of his one eye is perfectly alright, and, therefore, he is capable of doing the work of a Beldar, or even some other light work, which may be given to him and which the Company must give to him. I leave the

choice to the Company as the workman appeared to be satisfied if he was given even some light work like that of a peon. I, therefore, set aside the refusal of the management to employ the concerned workman from January, 1961.

18. For the reasons given above, I, therefore, hold that the action of the management in terminating the services of Shri Dukhi Koeri, Trolleyman, with effect from 28th January, 1963 and in refusing to employ Shri Dipchand Mallah, Beldar, from January, 1961, was unjustified and illegal and, therefore, both of them are entitled to the following separate reliefs:

(a) The termination of service of *Shri Dukhi Koeri*, Trolleyman, with effect from 28th January, 1963 having been set aside, he is re-instated to his previous job of a Trolleyman with effect from 28th January, 1963, with back wages and with continuity of service and other benefits which he was entitled to since then; and,

(b) The refusal of the management to employ *Shri Dipchand Mallah*, Beldar, from January, 1961, having been set aside, he will be employed as *Beldar* from January, 1961, with back wages and other benefits, which he may be entitled to and with continuity of service. It would, however, be open to the management to give *Shri Dipchand Mallah* some light work, as desired by him, which will also take effect from January, 1961, from which date the management refused to employ him either in his previous job of Beldar or on some light work, with full back wages and other benefits, which he may be entitled to.

19. This is the award which I make and submit to the Central Government under Section 15 of the Act.
Dhanbad, dated the 16th August, 1965.

(Sd.) **RAJ KISHORE PRASAD,**
Presiding Officer,

Central Government Industrial Tribunal, Dhanbad.
[No. 22/21/63-LRI.]

New Delhi, the 8th December 1965

S.O. 3894.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the Industrial dispute between the employers in relation to the Bhagatdih Colliery No. 14 (Ena Colliery) of Messrs Bengal Nagpur Coal Company Limited, Post Office Jharla, District Dhanbad, and their workmen, which was received by the Central Government on the 4th December, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of a reference under Section 10(1)(d) of The Industrial Disputes Act, 1947

REFERENCE NO. 7 OF 1964

PARTIES:

Employers in relation to the Bhagatdih Colliery of M/s. Bengal Nagpur Coal Company Limited, P. O. Jharla, (Dhanbad)

AND

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

APPEARANCES:

For the Employers—Sarvashri S. S. Mukherjee, Advocate and R. N. Ganguly, Welfare Officer.

For the Workmen—None.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 28th August, 1965

AWARD

By its Order No. 2/85/63-LR. II, dated 16-1-64, the Government of India, Ministry of Labour & Employment, referred, under Section 10(1)(d) of the Industrial

Disputes Act, 1947, to this Tribunal for adjudication, an industrial dispute existing between the employers in relation to the Bhagatdih Colliery of M/s. Bengal Nagpur Coal Company Limited, P. O. Jharia, (Dhanbad) and their workmen in respect of matters specified in the schedule reproduced below :

"SCHEDULE

1. Whether Sarvashri Ram Kesan Yadav and Shiv Balak Singh were employed as Night Guards of Bhagatdih Colliery No. 14 (Ena Colliery) of M/s. Bengal Nagpur Coal Co., Ltd., Post Office Jharia, (District Dhanbad)?
2. If so, whether the termination of their service from the 13th July, 1963, was justified?
3. If not, to what relief are they entitled?"

2. The management filed its written statement on 12th February 1964. Its case was that the present reference was incompetent as it was in respect of an individual dispute. On merits, its case was that the workmen concerned Sarvashri Ram Kesan Yadav and Shiv Balak Singh were never employed in the Bhagatdih Colliery as Night Guards and they were never at any stage the employees of this colliery, and, therefore, the question of their termination from service or their asking relief did not arise.

3. On behalf of the concerned workmen, Shri B. Lal, Secretary, Khan Mazdoor Congress, filed a written statement on 11th March 1964. The defence of the union was that these workmen were working as Night Guards for the last three years and were made to work for 12 hours per day for all the seven days of the week, but they were paid only at the rate of Rs. 3 per day, and, therefore, they requested the Manager orally and also in writing to regularise their service and make proper payments to them, but they did not do so, and as such their terminations were illegal and should be set aside and they should be reinstated with full back wages.

4. The case was fixed for hearing on 27th August 1965, for which a registered notice was sent to the General Secretary, Khan Mazdoor Congress, Jharia, (Dhanbad) on 19th July 1965, which was received on behalf of the Secretary by some officer of the union on 21st July 1965, but in spite of service of the notice and being informed of the date of hearing of the case neither the two concerned workmen themselves appeared before the Tribunal on 27th August 1965, nor were they represented by their union through any of its officers and, therefore, after waiting for 1 hour and 40 minutes, when no one appeared on behalf of the workmen, the hearing was concluded and an award was reserved after hearing Shri S. S. Mukherjee, Advocate, on behalf of the management.

5. On behalf of the management, on 27th August 1965, Sarvashri S. S. Mukherjee, Advocate and R. N. Ganguly, Welfare Officer, appeared and filed three Form 'B' Registers of the employees of the Colliery for 1961, 1962 and 1963, which were marked Exhibits M to M. 2, in order to show that the names of these two concerned workmen were not mentioned in these three Statutory Registers of the employees as Guards in any of these three years during which it was alleged by the union that they worked as Night Guards. It appears that under the Mines Rules, 1955, Form 'B' has been prescribed, which is a Register in which names of the employees are entered and their transfer or termination either due to dismissal or discharge is entered against the names in the Register. Section 77 of the Mines Rules provides that the Register required by Sub-section (1) of Section 48 shall be maintained in Form 'B'. Rule 48 of the said Rules, which deal with notice regarding hours of work, has 3 sub-rules. Rule 48(1) requires the notice of hours of work referred to in sub-section (1) of Section 36 to be maintained in Form 'A'. Rule 48(3) provides that a copy of the notice shall be affixed on the first page of the register maintained in Forms B, C, D and E. Rule 51, which deals with transfer or termination of employment, has two sub-rules. Rule 51(1) provides that when a person is transferred from one set or relay to another or from one shift to another, particulars of the same shall be entered against his name in the register in Form 'B'. Rule 51(2) provides that when the employment of a person in a mine is terminated either due to dismissal, discharge or otherwise, the date of such termination shall be entered against his name in the said register. There is, therefore, no doubt that under the Mines Rules a Register in Form 'B' has to be maintained by every mine owner of a colliery in which the names of its employees are mentioned and thereafter the other details mentioned above are mentioned as and when necessary. In accordance with these Mines Rules, the management also maintained Form 'B' Registers

of employees and it produced such registers for 1961, 1962 and 1963, which were marked Exts. M, M 1, and M 2. I personally examined these registers and found that although in each of these registers names of the other guards or night guards are mentioned but the names of these two workmen are not mentioned at all. As the case of the workmen was as it will appear from Para 4 of the written statement, that they had been working as Night Guards for about last three years, naturally the relevant periods for which the Registers were necessary to be produced were for 1961, 1962 and 1963. There is no evidence to the contrary as the workmen or their union did not appear at the hearing of the reference. On the uncontroverted evidence adduced on behalf of the management, therefore, I have no hesitation in holding that these two workmen were not employees of the management, and, therefore, the question of their termination from their services with effect from the 13th July, 1963 did not arise.

6. I, therefore, answer the reference, as below:

(1) Sarvashri Ram Kesan Yadav and Shiv Balak Singh were not employed as Night Guards of Bhagatdih Colliery No. 14 (Ena Colliery) of M/s. Bengal Nagpur Coal Company Limited, P. O. Jharla, District Dhanbad, and as such they were not their employees at the material time.

(2) On my above finding that the two concerned workmen named above were not employees of the concerned Colliery, the question of termination of their services from the 13th July, 1963 and the question of justification or otherwise of the termination of their services did not arise.

(3) On the above findings, therefore, the two workmen are not entitled to any relief.

7. This is the award which I make and submit to the Central Government under Section 15 of the Act.

Dated, Dhanbad, the 28th August, 1965.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer.

Central Government Industrial Tribunal,
Dhanbad.

[No. 2/85/63-LR.II]

S.O. 3895.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri L. P. Dave, Arbitrator in the industrial dispute between the employers in relation to the management of Kiriburu Iron Ore Mines of National Mineral Development Corporation and their monthly-rated workmen which was received by the Central Government on the 2nd December, 1965.

BEFORE SHRI L. P. DAVE, ARBITRATOR

REFERENCE No. ABN-1 of 1965

PARTIES:

The management of Kiriburu Iron Ore Mines of National Mineral Development Corporation Limited, Kiriburu Project, Kiriburu,

AND

The monthly-rated workmen represented by the five workmen duly authorised in this behalf at a meeting of the workmen held for the purpose.

PRESENT:

Shri L. P. Dave—Arbitrator.

APPEARANCES:

On behalf of employers—Shri M. Mukherjee, Bar-at-Law. Shri D. R. Bhadravaj, Genl. Manager.

On behalf of workmen—Shri G. Das, Bar-at-Law, Shri S. K. Tah, Workers' Representative.

STATE: Bihar.

INDUSTRY: Iron Ore Mine.

AWARD

An industrial dispute arose between the management of Kiriburu Iron Ore Mines of the National Mineral Development Corporation Ltd., and their monthly-rated workmen in respect of the following five matters:—

- (1) Recovery of charges from the workers for the supply of electricity;
- (2) Recovery of house rent from the workers;
- (3) Recovery of hire charges from the workers for transport to and fro their residences and work sites.
- (4) Recovery of hire charges from workers for residential furniture; and
- (5) Recovery of charges from the workers for conservancy-services.

The management and the workmen agreed in writing to refer the matter to my arbitration and sent the agreement to the Government of India; Ministry of Labour and Employment, who thereupon published it by their Order No. 23/28/64-L.R. I dated the 5th April, 1965.

2. It appears that the National Mineral Development Corporation Limited started the Kiriburu project at Kiriburu and several persons were employed therein. For the purpose of this case, we are concerned with the monthly rated workmen. These employees were in the beginning given houses free of rent. They were not charged anything either for the supply of electricity or for residential furniture. They were also not charged anything for conservancy services or for transport to and from their residences and work sites. In 1964 the management issued notices on different dates stating that they would charge house rent, conservancy, furniture hire, transport charges and charges for electricity and this gave rise to the present dispute. The workers contended *inter alia* that they had got these privileges and benefits and a standard of living with which they had become accustomed in a jungle area and seeking to do away with the same would amount to gross injustice and would be contrary to the standards of social justice. On the other hand, the management's case was that they had given these benefits to the workmen temporarily during the construction stage because at that time basic amenities were not in existence for the workers. Ultimately, as mentioned above, parties referred the matter to my arbitration.

3. In response to notices issued by me, both parties filed their written statements in support of their respective contentions. The matter was then fixed for hearing and came up before me on more days then one. Almost on every day, the parties were negotiating for a settlement and ultimately they have entered into a compromise to-day and produced a memorandum of settlement, copy appended herewith.

4. As I mentioned above, the dispute relates to monthly rated people who had been granted certain privileges in the earlier days and this award relates to these people. The dispute is relating to five items, namely, house rent, electricity charges, conservancy, furniture hire charges and transport. Under the terms of settlement, house rent is to be charged at the rate of $7\frac{1}{2}$ percent of pay in respect of workers getting upto Rs. 150/- per month and 10 percent of pay for the others. All workers are to be charged electricity charges at the rate of 12 P. per unit and conservancy at the rate of Re. 1/- per month. They are also to be charged furniture hire charges at the rate of 1 percent of the capital costs and transport charges are to be levied at the rate of Rs. 5/- per month in respect of workers with a pay upto Rs. 150/- per month and Rs. 7/- for the rest. In addition to this, it has been agreed that these workers who will have to pay charges as above will be compensated for half of it by giving advance increments calculated in a particular way. In other words, their pay packet will suffer by less than half the amount calculated as above. In my opinion, the compromise is fair and reasonable and I accept it.

5. The parties have left the date from which the agreement and the award are to come into effect to be decided by me. It is true that quite some time was lost in negotiations between the parties. All the same, looking to the spirit in which the settlement has been arrived at, I think no retrospective effect should be given and that the charges should be levied from 1st December 1965 and naturally, advance increments calculated as above will also be given with effect from that date. I further order that an award to be passed in terms of the above compromise with the clause that its clauses will come into effect from 1st December 1965. I also order that parties will bear their own costs.

I pass my award accordingly.

Sd/- L. P. DAVE,
Arbitrator.

Dated, 29th November, 1965.

BEFORE THE HONOURABLE ARBITRATOR, SHRI L. P. DAVE AT CALCUTTA

In the matter of Industrial Disputes under Arbitration under Section 10A
of I.D. Act, 1947

REFERENCE: CASE No. ABN 1 OF 1965

The management of N.M.D.C. Ltd., Kiriburu—*Management*

Vs.

Monthly rated workmen of Kiriburu Project—*Workmen.*

Whereas disputes arose in relation to certain deductions proposed in notices issued by the Management in 1964.

Whereas a reference under section 10A of the I.D. Act was made to the ARBITRATION in the Gazette Notification No. 23/28/64-LR. I dated the 5th April 1965,

Whereas the parties after discussion have agreed to the following terms and conditions:

1. (a) House rent shall be charged at the rates of:—

(i) $7\frac{1}{2}\%$ of pay for workers upto Rs. 150/- p.m. (pay)

(ii) 10% of pay for workers above Rs. 150/- p.m. (pay)

(b) Electric charges will be made at the rate of 12 paise per unit.

(c) Conservancy will be charged at the rate of Re. 1/- per month

(d) Furniture hire charges will be made at the rate of 1% of the capital cost of the articles supplied on the basis of the scales laid down in Kiriburu Project Office Order No. KP-13(1)/59-Adm. II dated 15th April 1961. For additional items, the rent will be charged @ 2% of the capital cost per month.

(e) Transport will be charged at the rate of Rs. 5/- upto Rs. 150/- (pay) and Rs. 7/- above Rs. 150/- (pay) per month.

2. The workmen have represented *inter alia* that the reductions to their pay packet to which they have got adjusted during the last few years would cause substantial hardship. The management in order to minimise it hereby agrees as a special case and irrespective of the merits of the workmen's contention to give relief to such by grant of advance increments to the extent of 50% of the recovery of house rent, electricity, transport, conservancy and furniture charges as stated hereinbelow.

3. It is further agreed that 50% of the charges will be compensated by the management by way of grant of increments in the basic pay in the existing scale. In case the proposed enhancement falls between two stages of the scale the increment will be adjusted at the higher stage.

4. It is agreed that for the purposes of calculating the advance increments the standard consumption of electricity will be as follows:

30 units for employees in the pay range Rs. 70—109.

40 units for employees in the pay range Rs. 110—249.

50 units for employees in the pay range Rs. 250—299.

60 units for employees in the pay range Rs. 300 and above.

With regard to furniture, the rent will be calculated on the basis of permissible limit mentioned in notices dated the 15th April 1961 and 9th June 1964.

The Arbitrator may kindly pass Award in terms of the agreement and the Arbitrator may kindly fix the date of its operation, therein.

On behalf of the management

(Sd.) D. R. BHARDWAJ,

G. M. KIRIBURU,

Iron Ore Project.

On behalf of the workmen.

(Sd.) S. K. TAP,

Workers' Representative.

(Sd.) MONOTOSH MOOKERJEE,

Consul for the Management

29-11-65.

[No. 23/28/64-LR I.]

(Sd.) Illegible.

New Delhi, the 10th December 1965

S.O. 3896.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen, which was received by the Central Government on the 6th December, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

REFERENCE No. 10 OF 1964

PARTIES:

Employers in relation to the Jamadoba Colliery of M/s. Tata Iron & Steel Co. Ltd., Jamadoba, P.O. Jealgora, Dist. Dhanbad.

AND

Their Workmen

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

APPEARANCES:

For the Employers: Sarvashri S. S. Mukerjee, Advocate and S. N. Singh, Legal Assistant.

For the Workmen: Shri B. N. Sharma, President, Congress Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 31st August, 1965

AWARD

By its Order No. 2/64/63-LR. II, dated 22nd January, 1964, the Government of India, Ministry of Labour and Employment, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Jamadoba Colliery of M/s. Tata Iron and Steel Co. Ltd., Jamadoba, P.O. Jealgora, District Dhanbad and their workmen in respect of the matters specified in the schedule reproduced below:

SCHEDULE

"Whether the dismissal from service of Shri L. C. Sen (Ticket No. 4039, Grade-II Clerk, Washing Plant, Jamadoba of M/s. Tata Iron and Steel Company Limited, Post Office Jealgora, Dhanbad) with effect from 26th December, 1961 was justified? If not, to what relief is the workman entitled?"

2. The management on 22nd February, 1964 filed its written statement in which the first objection taken was that the present dispute was only an individual dispute, and, therefore, it was outside the purview of the Act. It was further stated that the management was not aware if the concerned workman, Sri L. C. Sen, was a member of any union prior to the date of his dismissal on the 26th December, 1961 and, therefore, the workmen are put to the strict proof thereof. It was further stated that the election of office bearers of Congress Mazdoor Congress Branch at Jamadoba Colliery was held on 29th November, 1964 as it will appear from Ext. M 43, and, therefore, the concerned workman became its member about three years after his dismissal.

On merits it was contended that the concerned workman was not employed in any mine in that he was employed as Grade II Clerk at the Washery Plant; that on 23rd November, 1961 he was deputed to make payment of Bonus for the Quarter Ending 30th September, 1961 to the Hazree workers of Washery and Loading Mazdoors and Kamins of Jamadoba Colliery, but he paid to some of the workmen less amount than what was billed in the pay sheet and on physical verification discrepancies were also detected in the cash; that a preliminary enquiry was

made on 23rd November, 1961 in presence of the concerned workman and at the said enquiry 11 witnesses were examined, whose statements are Exts. M 6 to M 16 and on checking of cash Exts. M 4 and M 5 and on a *prima facie* cash being made out on the Manager's report dated 24th November, 1961, Ext. M 17 to the Chief Mining Engineer a charge sheet (Ext. M) under Standing Order No. 18(2) Ext. M 44 was issued on 25th November, 1961 to the concerned workman; that the concerned workman submitted his explanation to the charge sheet, Ext. M 2 on 29th November, 1961 and thereafter on 4th December, 1961 a notice of the enquiry fixed for 7th December 1961, Ext. M 3, was given and the enquiry was held on 7th December, 1961; that at the enquiry held on 7th December, 1961, 18 witnesses were examined of whom 14 witnesses were on behalf of the Company, whose statements are Exts. M 20 to M 23 and M 27 to M 37 and 3 defence witnesses were examined, whose statements are Exts. M 24 to M 26 and the statements of the concerned workman, Shri L. C. Sen, were also recorded and his statements are Exts. M 18 and M 19; that the Enquiry Officer on 9th December, 1961 submitted his report, Ext. M 39 finding the concerned workman guilty and thereafter on 20th December, 1961 a letter of dismissal, Ext. M 42 was issued to the concerned workman dismissing him from service with effect from 26th December, 1961.

Relying on the above facts, it was stated that the departmental enquiry being fair and proper and at the said enquiry the allegations of less payment to the workmen having been proved, the concerned workman had rightly been dismissed and, therefore, he was not entitled to any relief.

3. On behalf of the concerned workman, Shri L. C. Sen, Grade II, Clerk, Shri B. N. Sharma, President, Congress Mazdoor Sangh filed a written statement on 3rd April, 1964. The defence of the union was that the present dispute was an industrial dispute sponsored by a competent Trade Union—the Congress Mazdoor Sangh, and, therefore, the reference was quite competent.

On merit, it was contended that the concerned workman had not committed any misconduct and no charge sheet was called for and the enquiry was a farce and the witnesses examined were all against the concerned workmen and, therefore, the enquiry was in complete violation of the principles of natural justice. It was further stated that the concerned workman's witnesses were not examined and the finding of the Enquiry Officer was entirely perverse and baseless. It was further alleged that on 23rd December, 1961 an application for approval under Section 33(2)(b) of the Act was made by the management, which was subsequently withdrawn on 14th December, 1962, and, therefore, the dismissal of the concerned workman was *void ab initio*. It was, therefore, contended that the dismissal of the concerned workman being mala fide and unfair and unjust and illegal he should be reinstated in his job.

4. At the hearing on 31st August, 1965 Sarvashri S. S. Mukherjee, Advocate and S. N. Singh, Legal Assistant, represented the management, whereas, Sri B. N. Sharma, President, Congress Mazdoor Sangh, represented the concerned workman—Shri L. C. Sen, Clerk, who was also present *in person*. Documents filed by the Company were marked Exts. M to M 44, but the union did not file any document. No witness was examined by any party.

Preliminary Objection:

5. Shri Mukherjee, on behalf of the management, stenuously contended that the present reference was incompetent, because it was in respect of an individual dispute inasmuch as the concerned workman admittedly became a member of the Congress Mazdoor Sangh long after his dismissal and, therefore, this union represented by Shri Sharma had no jurisdiction to convert the individual dispute of the concerned workman into an industrial dispute and, as such, the fact that this dispute was sponsored by a competent Trade Union and at the instance of the said union the present reference was made will not make the reference competent.

6. Shri Mukherjee relied on a decision of the Supreme Court in *Workmen of Dharampal Premchand (Saughandhi) Vs. Dharampal Premchand (Saughandhi)*, 1965 (1) L.L.J. 668, and, particularly on the following observation, at page 673, of His Lordship The Hon'ble The Chief Justice of India:

"Industry' has been defined by S.2(j) of the Act and it seems to us that in some cases the union of workmen working in one industry may be competent to raise a dispute about the wrongful dismissal of an employee engaged in an establishment belonging to the same industry where workmen in such an establishment have no union of their own, and an appreciable number of such workmen had joined such other union before their dismissal."

7. Shri Mukherjee also relied on several decisions of mine in *Reference 67 of 1963*, in which my award was published on 10th July, 1965 in the Gazette of India at page 2340 and also on my decision in *Reference 97 of 1963* in which I gave award on 16th August, 1965 and in *Reference 63 of 1963* in which I gave award on 24th August, 1965. I have dealt with this matter in detail before in *Reference No. 67 of 1963* and, therefore, I do not propose to restate the reasons once again. I would simply say that the aforesaid observations of His Lordship, The Hon'ble The Chief Justice of India go to say that the workman should have been a member of the union which has sponsored his case from before his dismissal. The question, which has arisen in the present case, did not arise in that case or in any of the other cases cited in the other references decided by me on behalf of the workman and, therefore, there is no specific decision of the Supreme Court on this point. In the absence of such a decision and also in the absence of a decision of the High Court to the writ jurisdiction of which the Tribunal is subordinate. I am constrained to adhere to the view which I have taken in those cases and to hold that for the reasons given in those cases, which apply to the facts of the present case, the present reference is in respect of an individual dispute, and, therefore, the reference is incompetent. It may be mentioned that in this reference there was no dispute that the concerned workman became a member of the Congress Mazdoor Sangh long after his dismissal, and, therefore, at the instance of Sri B. N. Sharma, President of the said union, it was so recorded in the Order Sheet No. 8, dated 31st August, 1965, and therefore in view of the admitted position it is manifest that the present reference was in respect of an individual dispute, which could not be clothed with the character of an industrial dispute by being sponsored by the present union of which the concerned workman became a member long after his dismissal and, therefore, the fact that the present reference has been made under Section 10(1)(d) of the Act, at the instance of the said union, is itself not a sufficient ground to hold that the present reference is competent, because in those cases of the Supreme Court, relied upon on behalf of the workman, this question was not raised that the workman became a member of the said union, which sponsored the dispute of the workman and at whose instance it was referred under Section 10(1)(d) of the Act, was a member of the said union long before his dismissal.

8. The contention of Shri Sharma that because an application for approval under the proviso to Section 32(2)(b) of the Act was made by the management on 23rd December, 1961, which was subsequently withdrawn by the management on 14th December, 1962, the dismissal was void, in my opinion, has no merit. The workman was dismissed on 20/22nd, December, 1961 and on the next day an application for approval was made which was subsequently withdrawn almost a year after on 14th December, 1962, but this union was formed in 1964 and the workman became a member of this union in 1964 and, therefore, it cannot be said that because of the pendency of that application for withdrawal the dismissal of the workman did not become effective even after that day. Subsequent withdrawal of the application has no legal effect to extend the date of his dismissal from 22nd December, 1961 to 14th December, 1962, as contended by Shri Sharma. For these reasons Shri Sharma's contention based on this application for approval must be overruled.

9. For the reasons given above, I, therefore hold that the present reference is not maintainable, and therefore, it is rejected as incompetent.

10. On the above finding, I have no jurisdiction to go into the merits of the dispute and, therefore, I do not express any opinion on the merits of the case.

11. This is my award which I make and submit to the Central Government under Section 15 of the Act.

Dhanbad, dated the 31st August, 1965.

(Sd.) RAJ KISHORE PRASAD,

Presiding Officer,

Central Government Industrial Tribunal, Dhanbad.

[No. 2/64/63-LRII.]

New Delhi, the 13th December 1965

S.O. 3897.—Whereas the Central Government, having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947) declared by the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 1866, dated the 1st June, 1965, the banking industry carried

on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act for a period of six months from the 29th June, 1965;

And whereas the Central Government is of the opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said service to be a public utility service for the purposes of the said Act for a further period of six months from the 29th December, 1965.

[No. 1/95/65-LRI.]

S.O. 3898.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Ukwa Samnapur Mine and Hirapur Mine, owned by Messrs N. F. Mor and their workmen which was received by the Central Government on the 4th December, 1965.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT BOMBAY**

REFERENCE No. CGIT 98 of 1964

Employers in relation to the Ukwa Samnapur Mine, District Balaghat, of Messrs N. F. Mor, Mine Proprietor, P.O. Tumsar,

AND

Their Workmen.

REFERENCE No. CGIT 99 of 1964

Employers in relation to Hirapur Manganese Mine, District Balaghat, M.P. of Messrs N. F. Mor, Mine Proprietor, P.O. Tumsar, Dist. Bhandara, Maharashtra,

AND

Their Workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the Employers—Shri M. V. Tamasker, Advocate, instructed by Shri S. M. Agarwal, constituted attorney for N. F. Mor.

For the Workmen—Shri P. K. Thakur, Advocate, Secretary, Samyukta Khadan Mazdoor Sangh, with Shri S. D. Mukherji, Vice President, Samyukta Khadan Mazdoor Sangh.

Dated at Bombay this 16th day of November 1965

INDUSTRY: Manganese-mining.

STATE: Madhya Pradesh.

AWARD

1. The Central Government, by the Ministry of Labour & Employment's Order No. 21/5/64-LRI, dated 21st November, 1964, and Order No. 21/6/64-LRI, dated 21st November, 1964, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947) was pleased to refer the above two industrial disputes to me for adjudication, in respect of the following subject-matters specified in the respective schedules in these two disputes.

SCHEDULE

(in respect of Ref. No. 98 of 1964)

"1. Whether the demand of the workers of Ukwa Samnapur Mine for increase in wages is justified?

2. If so, to what relief are they entitled and from which date."

SCHEDULE

(in respect of Ref. No. 99 of 1964)

"1. Whether the demand of the workers in Hirapur Manganese Mine for increase in wage is justified?

2. If so, what relief are they entitled to and from which date?"

2. After the parties had filed their written statements at the adjourned hearing of the dispute at Jabalpur on 9th November, 1965, the parties filed a joint application recording the terms of settlement they had reached in both these disputes, and prayed for an award in both the above disputes in terms thereof. A copy of the terms of settlement is annexed herewith and marked Annexure 'A'.

3. As the terms of settlement appear to be fair and reasonable and in the interest of industrial peace, I make an award in terms agreed to between the parties.

4. I am disposing off both these references by one single award, as both the mines, viz. the Ukwa Samnapur Mine and the Hirapur Manganese Mine, belong to the same employer, and the parties have filed one joint application in respect of both these disputes.

5. No order as to costs.

(Sd.) SALIM M. MERCHANT,
Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT BOMBAY

REFERENCE No. CGIT 98 of 1964

Employers in relation to the Ukwa Samnapur Mine, District Balaghat, of Messrs. N. F. Mor, Mine Proprietor, P.O. Tumsar,

AND

Their Workmen.

REFERENCE No. CGIT 99 of 1964

Employers in relation to Hirapur Manganese Mine, District Balaghat, M.P. of Messrs N. F. Mor, Mine Proprietor, P.O. Tumsar, Dist. Bhandara, Maharashtra,

AND

Their Workmen.

PRESENT:

For the Employers (in both cases)—Shri M. V. Tamaskar, Advocate instructed by Shri S. M. Agarwal, constituted attorney for N. F. Mor.

For the Workmen—Shri P. K. Thakur, Advocate, Secretary, Samyukta Khadan Mazdoor Sangh with Shri S. D. Mukherji, Vice President, Samyukta Khadan Mazdoor Sangh.

CAMP JABALPUR

(1) The parties have agreed that the employers shall pay to all their workmen in their Hirapur Manganese Mine the minimum wage of Rs. 2-00 per day with effect from 1st January, 1965.

(2) The parties are agreed that the employers shall pay to all their workmen in the Ukwa Samnapur Mine the minimum wage of Rs. 2.00 per day with effect from 1st January, 1965, excluding the period from 1st April, 1965 to 18th September, 1965, when the Ukwa Samnapur Mine was closed.

(3) The parties are agreed that this payment of minimum wage of Rs. 2-00 per day from 1st January, 1965 shall be treated as an interim payment, to be revised at the rate as may be fixed by the Hon'ble Minister of Labour & Employment, Shri D. Sanjivayya, as Arbitrator in the dispute between Manganese-Mine owners and their workmen, and such rates shall be given effect to from the date fixed in the said award.

(4) It is agreed between the parties that the difference in the minimum wage at the agreed rate and the existing rate from 1st January, 1965 shall be paid in three equal monthly instalments on December 1, 1965, January, 1, 1966 and February, 1, 1966, in the presence of the representative of the Union.

(5) Parties pray that an award be made in the above terms in both these references.

Dated at Jabalpur this 9th day of November 1965.

For the Employers

(Sd.)

(S. N. AGRAWAL)

(Sd.)

(SHRI M. V. THAKUR, Advocate)

For the Workmen

(Sd.)

(P. K. THAKUR)

Advocate.

(Sd.)

(S. D. MUKHERJI),

Vice President,

Samyukta Khadan Mazdoor Sangh.

(Sd.)

(NUTANESHWAR)

Before me,

(Sd.) (SALIM M. MERCHANT),

Presiding Officer.

[No. 21/5/65-LRI.]

S.O. 3899.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 3109, dated the 25th September, 1965, namely:—

In the said notification, after entry (iv), the following entry shall be inserted, namely:—

‘(iv-a) the “Indian Airlines” and
“Air India” Corporations’.

[No. 1/94/65-LR-I.]

ORDERS

New Delhi, the 7th December 1965

S.O. 3900.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Pure Kustore Colliery of Messrs Pure Kustore Collieries Limited, Post Office Kusunda, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Pure Kustore Colliery of Messrs Pure Kustore Collieries Limited was justified in terminating the lien of Shri Muneshwar Chamar, Miner No. 4 Pit, and placing him in the badli list with effect from the 14th June, 1965? If not, to what relief is the workman entitled?

[No. 2/85/65-LRII.]

New Delhi, the 10th December 1965

S.O. 3901.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Pure Dhansar Colliery, Post Office Dhansar, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the retrenchment of Shri B. N. Sharma, In-charge, by the management of the Pure Dhansar Colliery, with effect from the 27th April 1965 was justified? If not, to what relief is the workman entitled?

[No. 2/128/65-LRII]

S.O. 3902.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jhingurda Colliery of National Coal Development Corporation Limited Singaruli, Post Office Waidhan, District Sidhi (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether, keeping in view the local conditions of the area, the management of Jhingurda Colliery of National Coal Development Corporation were justified in not providing free transport to their workmen for going from the residential colony to the work-site and back? If so, what should be the amount payable by the workmen for the transport provided by the management and from what date? If not, to what relief are the workmen entitled?

[No. 5/7/65-LRII]

S.O. 3903.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Allahabad Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

Whether the claim of the workmen of the Allahabad Bank Limited for additional bonus over what has already been paid during the years 1956 to 1961 is justified and if so, what further bonus should be paid to the workmen of the Bank for these years?

[No. 51(54)/65-LRIV]

New Delhi, the 13th December 1965

S.O. 3904.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jhingurda Colliery of National Coal Development Corporation Limited Singaruli Post Office Waidhan, District Sidhi, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether, consequent on the stoppage of the free transport facilities provided to the workmen by the management of Jhingurda Colliery of of National Coal Development Corporation Limited for going to the work-site and back to the residential colony with effect from 13th February, 1965, the workmen, who were not able to attend to their duties with effect from 13th February, 1965 to 2nd March, 1965, were entitled to be paid wages for the said period and how should this period be treated for purposes of leave, continuity of service etc.?

[No. 5/25/65-LRII.]

ADDENDUM

New Delhi, the 9th December 1965

S.O. 3905.—At the end of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 3674 dated the 22nd November 1965, published at pages 3855 to 3858 in Part II—Section 3—Sub Section (ii) of the Gazette of India, dated the 27th November 1965 the following annexure may be inserted.

ANNEXURE TO PART II OF THE AWARD OF THE NATIONAL INDUSTRIAL TRIBUNAL ON THE INDUSTRIAL DISPUTE BETWEEN MESSRS AIR-INDIA AND THEIR WORKMEN RELATING TO THE ALL-INDIA AIRCRAFT ENGINEERS ASSOCIATION

Aircraft Maintenance Engineer IIs/Aircraft Radio Maintenance Engineer IIs in possession of the following additional qualification/approval will be granted a qualification pay of Rs. 100/- per month:

Maintenance

1. 'C' Licence on aircraft used on Corporation's scheduled services for engineers holding 'A' licence.

2. 'A' Licence on aircraft used on Corporation's scheduled services for engineers holding 'C' licence.

Note.—Licences on 1049 aircraft will be included in the two cases referred to above.

3. Approval for servicing instrument and electrical systems on aircraft used on Corporation's scheduled services for engineers holding 'X' licence on electrical equipment.

4. Approval for servicing Instrument and electrical systems on aircraft used on Corporation's scheduled services for engineers holding 'X' licence on instruments.

5. ARME 'B' licence on 1049 or 707 Aircraft for engineers holding ARME 'A' licence.

Overhaul Shops

6. *Electrical Overhaul Section.*—Approval to certify item/items overhauled in the Section and which are not covered by his AME licence.

7. *Instrument Overhaul Section.*—Approval to certify item/items overhauled in the Section and which are not covered by his AME licence.

8. *Radio Overhaul Section.*—Approval to certify item/items overhauled in the Section and which are not covered by his ARME licence.

9. *Components Overhaul.*—Approval to certify overhaul work in the Division for engineers holding 'B' licence on 1049 aircraft or those who have passed Corporation's Sr. Engineers' Level examination.

10. *Power Plant Overhaul.*—Approval to certify overhaul work in the Division for engineers holding 'D' licence on DA engines of 1049 aircraft or those who have passed Corporation's Sr. Engineers' Level examination.

Note.—Whenever an Aircraft Maintenance Engineer is required to obtain approvals for certifying items which are not currently covered in his existing approval, he will be given the required training and experience to obtain such approval.

[No. 17/2/64/LRIV.]

S. A. SESHAN, Under Secy.

[Office of the Chief Labour Commissioner (c)]

ORDERS

New Delhi, the 10th December 1965

S.O. 3906.—Whereas an application has been made by the establishments carrying on operation concerning coal mine mentioned in the Schedule below for extension of the period specified in clause (b) of Section 19 of the Payment of Bonus Act, 1965 (No. 21 of 1965), for the payment of bonus to the employees of the said establishments, for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Act, read with the notification of the Govt. of India in the Ministry of Labour & Employment No. WB-20(42)/65, dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishments to 12 (twelve) months from the close of the accounting year ended on the 31st December, 1964.

THE SCHEDULE

- (1) Devram Ramji P.O. Katrasgarh, Dist. Dhanbad (in respect of North Tentulia Colliery).
- (2) K. B. Seal & Sons, P.O. Jharia (Dhanbad) (in respect of Kalithan Jinagorah Colliery).
- (3) North Ramgarh Coal Co. Private Ltd., Hazaribagh (in respect of Ara Colliery & Sarubera Colliery).

[No. BQ-25(3)/1/65-Vol. I.]

S.O. 3907.—Whereas an application has been made by the establishment carrying on operation concerning coal mine mentioned in the Schedule below for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Act, 1965 (No. 21 of 1965), for the payment of bonus to the employees of the said establishment, for the accounting year ended on the 28th February, 1965;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Act read with the notification of the Govt. of India in the Ministry of Labour & Employment No. WB-20(42)/65, dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishment to 10 (ten) months from the close of the accounting year ended on the 28th Feb., 65.

THE SCHEDULE

- (1) Karanpura Collieries Ltd., Chartered Bank Buildings, Calcutta-1 (in respect of Saunda Colliery).

[No. BO-25(3)/1/65-Vol. II.]

TEJA SINGH SAHNI, Chief Labour Commissioner (C).

DEPARTMENT OF SOCIAL SECURITY

New Delhi, the 6th December 1965

S.O. 3908.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 12th day of December, 1965 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections

77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Rajasthan namely:—

“Village Manpur Devri—Meenawala in Tehsil Jaipur and village Jhalana Dungar in Sanganer Tehsil, Jaipur District.”

[No. F. 13(36)/65-HI.]

New Delhi, the 10th December 1965

S.O. 3909.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to location of the factory in an implemented area, hereby exempts, the Ticket Printing Press, Bombay, belonging to the Bombay Electric Supply and Transport Undertaking, Bombay, from the payment of the employers' special contribution leviable under Chapter VA of the said Act.

[No. F.6(17)/64-HI.]

New Delhi, the 14th December 1965

S.O. 3910.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 19th day of December, 1965, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas of the State of Andhra Pradesh, namely:—

Area within the limits of the Kalahasti Municipality in the Kalahasti Tehsil of Chittoor District, with the following boundaries:—

East:	Sambayyapalem	Survey No. 72
	Thottambedu	Survey No. 71.....
	Chittathuru	Survey No. 95
	Gnanamambapuram	Survey No. 96
West:	Ammapalem	Survey No. 49
	Panagal	Survey No. 50
	Pudi	Survey No. 69
North:	Pudi	Survey No. 69
South:	Vadam group	Survey No. 48

[No. F.13(38)/65-HI.]

S.O. 3911.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 26th Day of December, 1965, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas of the State of Andhra Pradesh, namely:—

The following revenue villages in Palamanoor Tehsil of Chittoor District with the boundaries indicated against each:—

Kuppam:	South:	Ekarlapalli and Bevanapalli
	North:	Byruganipalli
	East:	Kamathamur and Ekarlapalli
	West:	Chinna Kurabalapalli
Bevanapalli:	East:	Peddabangarunatham
	South:	Gonugur
	West:	Palarlapalli
	North:	Kuppam and Chinnakurlapalli
Ekarlapalli:	East:	Noolakunta
	South:	Peddabangarunatham and Chinna Bangarunatham.
	West:	Bevanapalli
	North:	Kathimanipalli and Kamathamur

Byriganipalli:	East:	Guttapalli
	South:	Kuppam and Chinnakurlapalli
	West:	Gundlasagaram
	North:	Bandasettipalli, Ghamaguttapalli and Settipalli.

[No. F.13(38)/65-HI-II.]

DALJIT SINGH, Under Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 6th December 1965

S.O. 3912.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following amendment in the Schedule appended to its Notification No. 71-Income-tax, dated the 11th August, 1965, namely:—

In the said Schedule against A-Range, Jaipur, under column 2, for S. No. 5 the following shall be substituted.

5. Special Survey Circles I and II, Jaipur.

Explanatory Note

The amendment has become necessary on account of creation of a new Circle in the Commissioner's charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 109 (F. No. 50/10/64-ITJ.)]

New Delhi, the 9th December 1965

S.O. 3913.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and of all the other powers enabling it in that behalf and in supersession of all the previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioner of Income-tax of the Ranges specified in column 1 of the Schedule below, shall perform their functions in respect of all persons and incomes assessed to income-tax or Super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:—

SCHEDULE

Range I	Income-tax Circles, Wards and Districts 2
A-Range, New Delhi.	<ol style="list-style-type: none"> 1. Income-tax Cum Wealth-tax Circle VII, New Delhi. 2. All Companies Circles, New Delhi except Companies Circle II, V, VI, VIII, & IX, New Delhi. 3. B-I, B-I(1), B-III, B-III(1), B-XVI, B-XVI(1) and B-XVI(2) Districts, New Delhi. 4. All Salary Circles, New Delhi. 5. Central Circles V & VI, Delhi. 6. Evacuee Circle, New Delhi.
B-Range, New Delhi.	<ol style="list-style-type: none"> 1. B-II and BII(1) Districts, New Delhi. 2. Refund Circle, New Delhi. 3. Special Survey Circles I, II, III, IV, V, VI, VII, VIII, IX, New Delhi.
C-Range, New Delhi	<ol style="list-style-type: none"> 1. Income-tax Cum Wealth-tax Circle VIII and X, New Delhi. 2. Companies Circle II Cum Wealth-tax Circle X, New Delhi. 3. Central Circle III, Delhi. 4. Estate Duty Cum Income-tax Circle, New Delhi. 5. C-I, C-I(1), C-II and C-III Districts, New Delhi. 6. Wards Nos. 1, 1(1), 1(2), III, II, IV, V, Delhi. 7. B-XI, B-XI(1) Districts, New Delhi. 8. D-I and D-II Districts, New Delhi. 9. Foreign Section, Delhi.

- D-Range, New Delhi. 1. Income-tax Cum Wealth-tax Circles I, II, III, & IV, New Delhi.
2. Companies Circle II, V & VI, New Delhi.
3. A-IV, A-IV(1) Districts, New Delhi.
4. B-V, B-V(1), B-VII, B-VII(1), Addl. B-VII, B-X, B-XII, B-XII(1) Districts, New Delhi.
- E-Range, New Delhi. 1. Income-tax Cum Wealth-tax Circle IX, New Delhi.
2. A-I, A-I(1), A-II, A-III, Addl. A-III Districts, New Delhi.
3. B-IV, B-IV(1), B-VIII, B-VIII(1) Districts, New Delhi.
4. Central Circle I, II, IV, Delhi.
5. Companies Circles VIII & IX, New Delhi.
- F-Range, New Delhi. 1. B-IX, B-XIV, B-XIV(1), B-XIV(2), B-XVIII, B-XVIII(1) Addl. B-XVIII Districts, New Delhi.
2. Income-tax Cum Wealth-tax Circle XI, New Delhi.
3. Special Investigation Circles A & B, New Delhi.
4. Special Circles and Addl. Special Circle II, New Delhi.
- G-Range, New Delhi. 1. B-VI, B-VI(1), B-XIII, B-XIII(1), B-XV, B-XV(1), B-XV(2), B-XVII, B-XVII(1), B-XVII(2), B-XVII(3) and B-XVII(4) Districts, New Delhi.
2. Income-tax Cum Wealth-tax Circles V & VI, New Delhi.
3. Special Assessment Circles I, II, III, IV, V, VI, VII, VIII, IX, X, New Delhi.
4. All Private Salary Circles, New Delhi.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of Income-tax of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of Income-tax of the Range to whom the said Circle, Ward or District or part thereof is transferred.

Explanatory Note

The amendments have become necessary on account of the creation of a new Range and to evenly distribute work load amongst the Appellate Assistant Commissioners.

(This note does not form a part of the notification but is intended to be merely clarificatory).

[No. 112. (F. No. 50/10/64-ITJ).]

CORRIGENDUM

New Delhi, the 8th December 1965

S.O. 3914.—In the Board's Notification No. 108-Income-tax, dated the 20th November, 1965 published in Part II Section 3(ii) of the Gazette of India as S.O. No. 3628 dated 27th November 1965 against Varanasi Range for S. No. 5 "Special Survey Circle, Allahabad" read "Special Circle, Varanasi" and after S. No. 5 the following shall be added:—

6. Special Survey Circle, Allahabad.

[No. 110(F.No.50/67/65-ITJ).]

P. G. GANDHI, Under Secy.

ERRATUM

The S.O. Nos. 3784 to 3840 appearing in Issue No. 50 of the Gazette of India, Part II—Section 3 (ii), dated 11th December, 1965 may be corrected to read as 3794 to 3850.

